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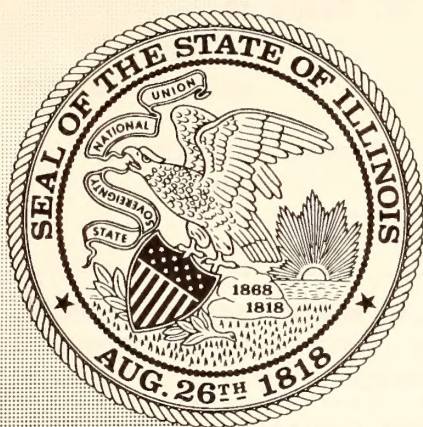


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**1994**

# ***Illinois Register***

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## **Rules of Governmental Agencies**

Volume 18, Issue 48— Dec. 02, 1994

Pages 17068-17296

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December 2, 1994    Volume 18, Issue 48

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Dec. 21, 1993	Dec. 28, 1993	1	Jan. 7, 1994	June 28, 1994	July 5, 1994	28	July 15, 1994
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June 21, 1994	June 28, 1994	27	July 8, 1994	Dec. 27, 1994	Jan. 3, 1995	2	Jan. 13, 1995

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).



DEPARTMENT OF INSURANCE  
NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Tax Allocation
- 2) Code Citation: 50 Ill. Adm. Code 942
- 3) Section Numbers: Proposed Action:
- |        |             |
|--------|-------------|
| 942.10 | New Section |
| 942.20 | New Section |
| 942.30 | New Section |
| 942.40 | New Section |
| 942.50 | New Section |
- 4) Statutory Authority: Implementing and authorized by Section 5/3.1(n) of the Illinois Insurance Code (215 ILCS 5/3.1(n))
- 5) A Complete Description of the Subjects and Issues Involved: P.A. 88-535, effective January 1, 1994, amended Section 5/3.1(n). This amendment authorizes the Department to promulgate standards which allow an insurer to show a credit or loss pursuant to a tax allocation agreement.
- 6) Will this proposed rule replace emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed rule contain incorporations by reference? No.
- 9) Are there any other proposed amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objectives: This rule will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:
- Tim Cena, Deputy Counsel  
Department of Insurance  
100 West Randolph  
Suite 15-100  
Chicago, Illinois 60601
- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this Rule will not affect small businesses.

The full text of the Proposed Rule begins on the next page:

DEPARTMENT OF INSURANCE  
NOTICE OF PROPOSED RULES

TITLE 50: INSURANCE  
CHAPTER 1: DEPARTMENT OF INSURANCE  
SUBCHAPTER 1: PROVISIONS APPLICABLE TO ALL COMPANIES

PART 942  
TAX ALLOCATION

Section	Authority
942.10	Purpose
942.20	Applicability
942.30	Credit or Loss Notification
942.40	Tax Allocation Methods
942.50	

**AUTHORITY:** Implementing and authorized by Section 5/3.1(n) of the Illinois Insurance Code (215 ILCS 5/3.1(n)).

**SOURCE:** Adopted at 19 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 942.10 Authority**

This Part implements, and is authorized by Section 5/3.1(n) of the Illinois Insurance Code (215 ILCS 5/3.1(n)).

**Section 942.20 Purpose**

The purpose of this Part is to allow credit or loss settlements to be taken by a licensed insurer when there is a tax allocation agreement.

**Section 942.30 Applicability**

- a) Every insurer that is a party to a consolidated federal corporate income tax filing shall have a written agreement governing its participation therein approved by the insurer's Board of Directors. The agreement, in addition to all amendments and terminations thereto, shall be filed with the Director within thirty (30) days of approval or within sixty (60) days of the effective date of this Part.
- b) The ultimate holding corporation, any intermediate corporation which owns a controlling interest, as that term is defined in Section 131.1(b) of the Illinois Insurance Code (215 ILCS 131.1(b)) in the stock of the insurer, and the insurer itself shall be parties to, but need not necessarily participate in, the consolidated federal corporate income tax agreement. In the case of an alien owned insurer, the ultimate United States Corporation, on whose behalf the consolidated federal corporate income tax return is filed with the IRS, may be substituted for the ultimate holding corporation.

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED RULES

**Section 942.40 Credit or Loss Notification**

Any credit or loss settlement resulting under the agreement shall be made within thirty (30) days of filing the estimated or actual consolidated federal corporate income tax return with the IRS. Any settlements that result from revised or amended returns shall be made within thirty (30) days of such determination. In the case where a refund is due the parent, the parent may defer payment to the insurer within thirty (30) days of receipt of such refund. All settlements shall be in cash or securities eligible as investments pursuant to Section 125.1a through 125.14a of the Illinois Insurance Code [215 ILCS 5/125a through 125.14a] for such insurer, at market value.

**Section 942.50 Tax Allocation Methods**

All methods of tax allocation including penalties, interest, etc., shall be allocated between affiliates as if it would have been done on a separate return basis.

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part: Definitions and General Provisions2) Code Citation: 35 Ill. Adm. Code 2113) Section Numbers: Proposed Action:

211.474	New
211.560	New
211.2850	Amended
211.4065	New
211.5980	New

4) Statutory Authority: [415 ILCS 5/27 and 28.5]5) A Complete Description of the Subjects and Issues Involved:

A complete description of this Section 28.5 fast-track rulemaking is contained in the Board's November 3, 1994 opinion and order in Docket R94-31, which is available from the Board at the address specified in question 11 below. The additional definitions are proposed to coincide with amendments to 35 Ill. Adm. Code Parts 218 and 219, Subpart H, for lithographic printing.

6) Will this proposed rule(s) replace an emergency rule currently in effect?  
No7) Does this rulemaking contain an automatic repeal date? No8) Does this proposed rule(s) (amendment, repealer) contain incorporations by reference? Yes9) Are there any other proposed amendments pending on this Part? Yes

<u>Section Number</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
211.660	New	18 Ill. Reg. 15192 October 14, 1994
211.670	New	18 Ill. Reg. 15192 October 14, 1994
211.680	New	18 Ill. Reg. 15192 October 14, 1994
211.820	New	18 Ill. Reg. 15192 October 14, 1994
211.980	New	18 Ill. Reg. 15192 October 14, 1994
211.1780	New	18 Ill. Reg. 15192 October 14, 1994
211.1880	New	18 Ill. Reg. 15192 October 14, 1994



## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

211.1900	New	18 Ill. Reg. 15192 October 14, 1994
211.2290	New	18 Ill. Reg. 15192 October 14, 1994
211.2360	New	18 Ill. Reg. 15192 October 14, 1994
211.2365	New	18 Ill. Reg. 15192 October 14, 1994
211.2630	New	18 Ill. Reg. 15192 October 14, 1994
211.4055	New	18 Ill. Reg. 15192 October 14, 1994
211.4740	New	18 Ill. Reg. 15192 October 14, 1994
211.5065	New	18 Ill. Reg. 15192 October 14, 1994
211.5480	New	18 Ill. Reg. 15192 October 14, 1994
211.5600	New	18 Ill. Reg. 15192 October 14, 1994
211.6060	New	18 Ill. Reg. 15192 October 14, 1994
211.6140	New	18 Ill. Reg. 15192 October 14, 1994
211.6400	New	18 Ill. Reg. 15192 October 14, 1994
211.6580	New	18 Ill. Reg. 15192 October 14, 1994
211.6880	New	18 Ill. Reg. 15192 October 14, 1994
211.7400	New	18 Ill. Reg. 15192 October 14, 1994

## 10) Statement of Statewide Policy Objectives:

These proposed amendments do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].

## 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Send written comments concerning R94-31 within 45 days of publication in the Illinois Register to:

Dorothy Gunn  
Clerk of the Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, IL 60601

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

and

Sheila G. Kolbe  
Assistant Counsel  
Illinois Environmental Protection Agency  
Bureau of Air  
P.O. Box 19276  
Springfield, IL 62794-9276.

All comments should be clearly marked with the docket number R94-31. Questions concerning this rulemaking can be directed to Kevin Desharnais at the Pollution Control Board at (312)814-6926 or to Sheila Kolbe at the Illinois Environmental Protection Agency at (217)524-3333.

## 12) Initial Regulatory Flexibility Analysis:

No small businesses will be affected to a greater extent than allowed by current statutes and regulations.

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

November 7, 1994

B) Types of small businesses affected: Those that engage in the following types of lithographic printing that emit at any time 45.5 kg/day (100 lbs/day) of volatile organic materials: 1) heatset web offset; 2) non-heatset web offset; or 3) sheet fed.

C) Reporting, bookkeeping or other procedures required for compliance: Since these changes only add definitions, they contain no reporting, bookkeeping, or other requirements for compliance.

D) Types of professional skills necessary for compliance: Since these changes only add definitions, no professional skills are required.

The full text of the Proposed Amendments begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

## TITLE 35: ENVIRONMENTAL PROTECTION

## SUBTITLE B: AIR POLLUTION

## CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: EMISSION STANDARDS AND LIMITATIONS  
FOR STATIONARY SOURCES

## PART 211

## DEFINITIONS AND GENERAL PROVISIONS

## SUBPART A: GENERAL PROVISIONS

## Section

211.101 Incorporations by Reference

211.102 Abbreviations and Conversion Factors

## SUBPART B: DEFINITIONS

## Section

211.121 Other Definitions

211.122 Definitions (Repealed)

211.130 Accelacota

211.150 Accumulator

211.170 Acid Gases

211.210 Actual Heat Input

211.230 Adhesive

211.250 Aeration

211.270 Aerosol Can Filling Line

211.290 Afterburner

211.310 Air Contaminant

211.330 Air Dried Coatings

211.350 Air Oxidation Process

211.370 Air Pollutant

211.390 Air Pollution

211.410 Air Pollution Control Equipment

211.430 Air Suspension Coater/Dryer

211.450 Airless Spray

211.474 Alcohol

211.470 Air Assisted Airless Spray

211.490 Annual Grain Through-Put

211.510 Application Area

211.530 Architectural Coating

211.550 As Applied

211.560 As-Applied Fountain Solution

211.570 Asphalt

211.590 Asphalt Prime Coat

211.610 Automobile

211.630 Automobile or Light-Duty Truck Assembly Source or Automobile or Light-Duty Truck Manufacturing Plant

211.650 Automobile or Light-Duty Truck Refinishing

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

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211.690 Batch Loading

211.710 Bead-Dipping

211.730 Binders

211.750 British Thermal Unit

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211.810 Bulk Gasoline Terminal

211.830 Can

211.850 Can Coating

211.870 Can Coating Line

211.890 Capture

211.910 Capture Device

211.930 Capture Efficiency

211.950 Capture System

211.970 Certified Investigation

211.990 Choke Loading

211.1010 Clean Air Act

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211.1590 Crude Oil Gathering

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## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

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## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

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## NOTICE OF PROPOSED AMENDMENTS

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211.4430	Pail	211.5370	Reasonably Available Control Technology (RACT)
211.4450	Paint Manufacturing Source or Paint Manufacturing Plant	211.5390	Reclamation System
		211.5410	Refiner
		211.5430	Refinery Fuel Gas

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211.4470	Paper Coating	211.5340	Rated Heat Input Capacity
211.4490	Paper Coating Line	211.5250	Process Weight Rate
211.4510	Particulate Matter	211.5270	Production Equipment Exhaust System
211.4530	Parts Per Million (Volume) or PPM (Vol)	211.5310	Publication Rotogravure Printing Line
211.4550	Person	211.5330	Purged Process Fluid
211.4590	Petroleum	211.5350	Reactor
211.4610	Petroleum Liquid	211.5370	Reasonably Available Control Technology (RACT)
211.4630	Petroleum Refinery	211.5390	Reclamation System
211.4650	Pharmaceutical	211.5410	Refiner
211.4670	Pharmaceutical Coating Operation	211.5430	Refinery Fuel Gas
211.4690	Photochemically Reactive Material		
211.4710	Pigmented Coatings		
211.4730	Plant		
211.4750	Plasticizers		
211.4770	PM-10		
211.4790	Pneumatic Rubber Tire Manufacture		
211.4810	Polybasic Organic Acid Partial Oxidation Manufacturing Process		
211.4830	Polyester Resin Material(s)		
211.4850	Polyester Resin Products Manufacturing Process		
211.4870	Polystyrene Plant		
211.4890	Polystyrene Resin		
211.4910	Portable Grain-Handling Equipment		
211.4930	Portland Cement Manufacturing Process Emission Source		
211.4950	Portland Cement Process or Portland Cement Manufacturing Plant		
211.4970	Potential to Emit		
211.4990	Power Driven Fastener Coating		
211.5030	Pressure Release		
211.5050	Pressure Tank		
211.5060	Pressure/Vacuum Relief Valve		
211.5070	Prime Coat		
211.5090	Primer Surfacer Coat		
211.5110	Primer Surfacer Operation		
211.5130	Primers		
211.5150	Printing		
211.5170	Printing Line		
211.5185	Process Emission Source		
211.5190	Process Emission Unit		
211.5210	Process Unit		
211.5230	Process Unit Shutdown		
211.5340	Rated Heat Input Capacity		
211.5250	Process Weight Rate		
211.5270	Production Equipment Exhaust System		
211.5310	Publication Rotogravure Printing Line		
211.5330	Purged Process Fluid		
211.5350	Reactor		
211.5370	Reasonably Available Control Technology (RACT)		
211.5390	Reclamation System		
211.5410	Refiner		
211.5430	Refinery Fuel Gas		



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211.6360	Stationary Reciprocating Internal Combustion Engine
211.6370	Stationary Source
211.6390	Stationary Storage Tank
211.6410	Storage Tank or Storage Vessel
211.6430	Styrene Devolatilizer Unit
211.6450	Styrene Recovery Unit
211.6470	Submerged Loading Pipe
211.6490	Substrate
211.6510	Sulfuric Acid Mist
211.6530	Surface Condenser
211.6550	Synthetic Organic Chemical or Polymer Manufacturing Plant
211.6570	Tablet Coating Operation
211.6590	Thirty-Day Rolling Average
211.6610	Three-Piece Can
211.6630	Through-the-Valve Fill
211.6650	Tooling Resin
211.6670	Topcoat
211.6690	Topcoat Operation
211.6710	Touch-Up
211.6730	Transfer Efficiency
211.6750	Tread End Cementing
211.6770	True Vapor Pressure
211.6790	Turnaround
211.6810	Two-Piece Can
211.6830	Under-the-Cup Fill
211.6850	Undertread Cementing
211.6870	Unregulated Safety Relief Valve
211.6890	Vacuum Producing System
211.6910	Vacuum Service
211.6930	Valves Not Externally Regulated
211.6950	Vapor Balance System
211.6970	Vapor Collection System
211.6990	Vapor Control System
211.7010	Vapor-Mounted Primary Seal
211.7030	Vapor Recovery System
211.7050	Vapor Suppressed Polyester Resin
211.7070	Vinyl Coating
211.7090	Vinyl Coating Line
211.7110	Volatile Organic Liquid (VOL)
211.7130	Volatile Organic Material Content (VOMC)
211.7150	Volatile Organic Material (VOM) or Volatile Organic Compound (VOC)
211.7170	Volatile Petroleum Liquid
211.7190	Wash Coat
211.7210	Wastewater (Oil/Water) Separator
211.7230	Weak Nitric Acid Manufacturing Process
211.7250	Web
211.7270	Wholesale Purchase - Consumer
211.7290	Wood Furniture
211.7310	Wood Furniture Coating

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211.5450	Refinery Fuel Gas System
211.5470	Refinery Unit or Refinery Process Unit
211.5490	Refrigerated Condenser
211.5500	Regulated Air Pollutant
211.5510	Reid Vapor Pressure
211.5530	Repair
211.5550	Repair Coat
211.5570	Repaired
211.5590	Residual Fuel Oil
211.5610	Restricted Area
211.5630	Retail Outlet
211.5650	Ringelmann Chart
211.5670	Roadway
211.5690	Roll Coater
211.5710	Roll Coating
211.5730	Roll Printer
211.5750	Roll Printing
211.5770	Rotogravure Printing
211.5790	Rotogravure Printing Line
211.5810	Safety Relief Valve
211.5830	Sandblasting
211.5850	Sanding Sealers
211.5870	Screening
211.5890	Sealer
211.5910	Semi-Transparent Stains
211.5930	Sensor
211.5950	Set of Safety Relief Valves
211.5970	Sheet Basecoat
211.5980	Sheet-Fed
211.5990	Shotblasting
211.6010	Side-Seam Spray Coat
211.6030	Smoke
211.6050	Smokeless Flare
211.6070	Solvent
211.6090	Solvent Cleaning
211.6110	Solvent Recovery System
211.6130	Source
211.6150	Specialty High Gloss Catalyzed Coating
211.6170	Specialty Leather
211.6190	Specialty Soybean Crushing Source
211.6210	Splash Loading
211.6230	Stack
211.6250	Stain Coating
211.6270	Standard Conditions
211.6290	Standard Cubic Foot (scf)
211.6310	Start-Up
211.6330	Stationary Emission Source
211.6350	Stationary Emission Unit
211.6355	Stationary Gas Turbine

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211.7330 Wood Furniture Coating Line  
211.7350 Woodworking

APPENDIX A Rule into Section Table  
APPENDIX B Section into Rule Table

AUTHORITY: Implementing Sections 9, 9.1 and 10 and authorized by Sections 27 and 28.5 of the Environmental Protection Act [415 ILCS 5/9, 9.1, 10, 27 and 28.5].

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 201: Definitions, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R74-2 and R75-5, 32 PCB 295, at 3 Ill. Reg. 5, p. 777, effective February 3, 1979; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13590; amended in R82-1 (Docket A) at 10 Ill. Reg. 12624, effective July 7, 1986; amended in R85-21(A) at 11 Ill. Reg. 11747, effective June 29, 1987; amended in R86-34 at 11 Ill. Reg. 12267, effective July 10, 1987; amended in R86-39 at 11 Ill. Reg. 20804, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 787, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7284, effective April 8, 1988; amended in R86-10 at 12 Ill. Reg. 7621, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10862, effective June 27, 1989; amended in R89-8 at 13 Ill. Reg. 17457, effective January 1, 1990; amended in R89-16(A) at 14 Ill. Reg. 9141, effective May 23, 1990; amended in R88-30(B) at 15 Ill. Reg. 5223, effective March 28, 1991; amended in R98-14 at 15 Ill. Reg. 7901, effective May 14, 1991; amended in R91-10 at 15 Ill. Reg. 15564, effective October 11, 1991; amended in R91-6 at 15 Ill. Reg. 15673, effective October 14, 1991; amended in R91-22 at 16 Ill. Reg. 7656, effective May 1, 1992; amended in R91-24 at 16 Ill. Reg. 13526, effective August 24, 1992; amended in R93-9 at 17 Ill. Reg. 16504, effective September 27, 1993; amended in R93-11 at 17 Ill. Reg. 21471, effective December 7, 1993; amended in R93-14 at 18 Ill. Reg. 1253, effective January 18, 1994; amended in R94-12 at 18 Ill. Reg. 14962, effective September 21, 1994; amended in R94-14 at 18 Ill. Reg. 15744, effective October 17, 1994; amended in R94-15 at 18 Ill. Reg. 16379, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16929, effective November 15, 1994; amended in R94-31 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

BOARD NOTE: This Part implements the Illinois Environmental Protection Act as of July 1, 1994.

NOTE: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

## SUBPART B: DEFINITIONS

Section 211.474 Alcohol

"Alcohol," for the purposes of Sections 218.405 through 218.410 and 219.405

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through 219.410, means isopropyl alcohol, normal propyl alcohol, or ethanol used in a fountain solution in a lithographic printing operation.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 211.560 As-Applied Fountain Solution

"As-applied fountain solution," means the formulation of a fountain solution during application onto the image plate on a lithographic printing line, including any material added at the line before the application of the fountain solution.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 211.2850 Heatset-Web-Offset Lithographic Printing Line

"Heatset-web-offset lithographic printing line" means a lithographic printing line in which a blanket cylinder is used to transfer ink from a plate cylinder to a substrate continuously fed from a roll or an extension process and an oven is used to solidify the printing inks.

(Source: Added at 17 Ill. Reg. 16504, effective September 27, 1993)

Section 211.4065 Non-Heatset

"Non-heatset" means a class of lithography which does not require a heated dryer to solidify the printing inks. Ultraviolet-cured and electron beam-cured inks are considered non-heatset.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 211.5980 Sheet-Red

"Sheet-fed" means a printing or coating line where individual sheets of substrate are fed to the line sequentially.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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- 1) Heading of Part: Organic Material Emission Standards and Limitations for the Chicago Area.

- 2) Code Citation: 35 Ill. Adm. Code 218

- 3) Section Numbers:

218.405 Amended  
218.406 New  
218.407 New  
218.408 New  
218.409 New  
218.410 New  
218.411 New  
218.412 New  
218.480 Amended

- 4) Statutory Authority: [415 ILCS 5/27 and 28.5]

- 5) A Complete Description of the Subjects and Issues Involved:

A complete description of this Section 28.5 Fast-Track rulemaking is contained in the Board's November 3, 1994 opinion and order in docket R94-31, which is available from the Board at the address specified in question 11 below. This rulemaking proposes amendments to Subpart H of 35 Ill. Adm. Code 218 pursuant to the 15% Rate of Progress Plan submitted to USEPA November 15, 1993, as required by the Clean Air Act, as amended in 1990. The amendments to Subpart H, Printing and Publishing, propose VOM content limitations for fountain solutions used in specified lithographic printing, including: heatset web offset, non-heatset web offset, and sheet fed. This rule also specifies add-on control devices for heatset web offset lithographic printing.

This rulemaking also proposes an amendment to clarify a prior rulemaking in 35 Ill. Adm. Code 218 that is required by the Clean Air Act, as amended in 1990. The amendment to Section 218.480 is to clarify that pharmaceutical facilities using the same equipment and similar processes to produce pharmaceutical and pharmaceutical-like products are only regulated under Subpart T, rather than both Subparts RR and T.

- 6) Will this proposed rule(s) replace an emergency rule currently in effect?  
No

- 7) Does this rulemaking contain an automatic repeal date? No

If "yes," please specify the date: \_\_\_\_\_

- 8) Does this proposed rule(s) (amendment, repealer) contain incorporations by reference? Yes

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- 9) Are there any other proposed amendments pending on this Part? Yes

Section Number	Proposed Action	Illinois Register Citation
218.106	Amended	18 Ill. Reg. 15211 October 14, 1994
218.204	Amended	18 Ill. Reg. 15211 October 14, 1994
218.205	Amended	18 Ill. Reg. 15211 October 14, 1994
218.207	Amended	18 Ill. Reg. 15211 October 14, 1994
218.208	Amended	18 Ill. Reg. 15211 October 14, 1994
218.210	Amended	18 Ill. Reg. 15211 October 14, 1994
218.212	New	18 Ill. Reg. 15211 October 14, 1994
218.213	New	18 Ill. Reg. 15211 October 14, 1994
218.214	New	18 Ill. Reg. 15211 October 14, 1994
218.431	New	18 Ill. Reg. 15211 October 14, 1994
218.432	New	18 Ill. Reg. 15211 October 14, 1994
218.433	New	18 Ill. Reg. 15211 October 14, 1994
218.434	New	18 Ill. Reg. 15211 October 14, 1994
218.435	New	18 Ill. Reg. 15211 October 14, 1994
218.436	New	18 Ill. Reg. 15211 October 14, 1994
218.686	Amended	18 Ill. Reg. 15211 October 14, 1994
218.720	New	18 Ill. Reg. 15211 October 14, 1994
218.722	New	18 Ill. Reg. 15211 October 14, 1994
218.726	New	18 Ill. Reg. 15211 October 14, 1994
218.727	New	18 Ill. Reg. 15211 October 14, 1994
218.728	New	18 Ill. Reg. 15211 October 14, 1994
218.729	New	18 Ill. Reg. 15211 October 14, 1994



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218.730	New	18 Ill. Reg. 15211 October 14, 1994
218.940	Amended	18 Ill. Reg. 9242 June 24, 1994
218.966	Amended	18 Ill. Reg. 15211 October 14, 1994
218.980	Amended	18 Ill. Reg. 9242 June 24, 1994
218. Appendix G	New	18 Ill. Reg. 15211 October 14, 1994
218. Appendix H	New	18 Ill. Reg. 15211 October 14, 1994

## 10) Statement of Statewide Policy Objectives:

These proposed amendments do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].

## 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Send written comments concerning R94-31 within 45 days of publication in the Illinois Register to:

Dorothy Gunn  
Clerk of the Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, IL 60601

and

Sheila G. Kolbe  
Assistant Counsel  
Illinois Environmental Protection Agency  
Bureau of Air  
P.O. Box 19276  
Springfield, IL 62794-9276.

All comments should be clearly marked with the docket number 94-31. Questions concerning this rulemaking can be addressed to Kevin Desharrais at the Pollution Control Board at (312) 814-6926, or to Sheila Kolbe at the Illinois Environmental Protection Agency at (217) 524-3333.

## 12) Initial Regulatory Flexibility Analysis:

These proposed rules are mandated by the Clean Air Act and, therefore, no

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small businesses will be affected to a degree greater than allowed by federal law.

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

November 7, 1994

B) Types of small businesses affected:

Those that engage in the following types of lithographic printing that emit at any time 45.5 kg/day (100 lbs/day): 1) Heatset Web Offset; 2) Non-Heatset Web Offset; and 3) Sheet Fed.

C) Reporting, bookkeeping or other procedures required for compliance: Recordkeeping is required to the extent necessary to demonstrate that a source is either not subject to the requirements of the proposal or to demonstrate that the source is meeting the requirements of the proposal. The recordkeeping and reporting requirements appear in Section 218.411

D) Types of professional skills necessary for compliance:  
None

The full text of the Proposed Amendments begins on the next page:

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## NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE B: AIR POLLUTION

CHAPTER I: POLLUTION CONTROL BOARD

## SUBCHAPTER c: EMISSIONS STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES

## PART 218

ORGANIC MATERIAL EMISSION STANDARDS AND LIMITATIONS  
FOR THE CHICAGO AREA

## SUBPART A: GENERAL PROVISIONS

Section	
218.100	Introduction
218.101	Savings Clause
218.102	Abbreviations and Conversion Factors
218.103	Applicability
218.104	Definitions
218.105	Test Methods and Procedures
218.106	Compliance Dates
218.107	Operation of Afterburners
218.108	Exemptions, Variations, and Alternative Means of Control or Compliance Determinations
218.109	Vapor Pressure of Volatile Organic Liquids
218.110	Vapor Pressure of Organic Material or Solvents
218.111	Vapor Pressure of Volatile Organic Material
218.112	Incorporations by Reference
218.113	Monitoring for Negligibly-Reactive Compounds
218.114	Compliance with Permit Conditions

## SUBPART B: ORGANIC EMISSIONS FROM STORAGE AND LOADING OPERATIONS

Section	
218.119	Applicability for VOL
218.120	Control Requirements for Storage Containers of VOL
218.121	Storage Containers of VPL
218.122	Loading Operations
218.123	Petroleum Liquid Storage Tanks
218.124	External Floating Roofs
218.125	Compliance Dates
218.126	Compliance Plan (Repealed)
218.127	Testing VOL Operations
218.128	Monitoring VOL Operations
218.129	Recordkeeping and Reporting for VOL Operations

## SUBPART C: ORGANIC EMISSIONS FROM MISCELLANEOUS EQUIPMENT

Section	
218.141	Separation Operations
218.142	Pumps and Compressors

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Vapor Blowdown  
Safety Relief Valves218.143  
218.144

## SUBPART E: SOLVENT CLEANING

Section	
218.181	Solvent Cleaning in General
218.182	Cold Cleaning
218.183	Open Top Vapor Degreasing
218.184	Conveyorized Degreasing
218.185	Compliance Schedule (Repealed)
218.186	Test Methods

## SUBPART F: COATING OPERATIONS

Section	
218.204	Emission Limitations
218.205	Daily-Weighted Average Limitations
218.206	Solids Basis Calculation
218.207	Alternative Emission Limitations
218.208	Exemptions from Emission Limitations
218.209	Exemption from General Rule on Use of Organic Material
218.210	Compliance Schedule
218.211	Recordkeeping and Reporting

## SUBPART G: USE OF ORGANIC MATERIAL

Section	
218.301	Use of Organic Material
218.302	Alternative Standard
218.303	Fuel Combustion Emission Units
218.304	Operations with Compliance Program

## SUBPART H: PRINTING AND PUBLISHING

Section	
218.401	Flexographic and Rotogravure Printing
218.402	Applicability
218.403	Compliance Schedule
218.404	Recordkeeping and Reporting
218.405	Heatset-Web-Offset Lithographic Printing: Applicability
218.406	Provisions Applying to Heatset Web Offset Lithographic Printing Prior to March 15, 1996
218.407	Emission Limitations and Control Requirements for Lithographic Printing Lines On and After March 15, 1996
218.408	Compliance Schedule for Lithographic Printing On and After March 15, 1996
218.409	Testing for Lithographic Printing On and After March 15, 1996
218.410	Monitoring Requirements for Lithographic Printing



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218.411 Recordkeeping and Reporting for Lithographic Printing  
 218.412 Recordkeeping and Reporting for Fountain and Cleaning Solution Stricter Limits

218.480 Applicability  
 218.481 Control of Reactors, Distillation Units, Crystallizers, Centrifuges and Vacuum Dryers  
 218.482 Control of Air Dryers, Production Equipment Exhaust Systems and Filters

SUBPART Q: LEAKS FROM SYNTHETIC ORGANIC CHEMICAL AND POLYMER MANUFACTURING PLANT

Section  
 218.421 General Requirements  
 218.422 Inspection Program Plan for Leaks  
 218.423 Inspection Program for Leaks  
 218.424 Repairing Leaks  
 218.425 Recordkeeping for Leaks  
 218.426 Report for Leaks  
 218.427 Alternative Program for Leaks  
 218.428 Open-Ended Valves  
 218.429 Standards for Control Devices  
 218.430 Compliance Date (Repealed)

218.483 Material Storage and Transfer  
 218.484 In-Process Tanks  
 218.485 Leaks  
 218.486 Other Emissions Units  
 218.487 Testing  
 218.488 Monitoring for Air Pollution Control Equipment  
 218.489 Recordkeeping for Air Pollution Control Equipment

## SUBPART V: AIR OXIDATION PROCESSES

Section  
 218.520 Emission Limitations for Air Oxidation Processes  
 218.521 Definitions (Repealed)  
 218.522 Savings Clause  
 218.523 Compliance  
 218.524 Determination of Applicability  
 218.525 Emission Limitations for Air Oxidation Processes (Renumbered)  
 218.526 Testing and Monitoring  
 218.527 Compliance Date (Repealed)

## SUBPART R: PETROLEUM REFINING AND RELATED INDUSTRIES; ASPHALT MATERIALS

Section  
 218.441 Petroleum Refinery Waste Gas Disposal  
 218.442 Vacuum Producing Systems  
 218.443 Wastewater (Oil/Water) Separator  
 218.444 Process Unit Turnarounds  
 218.445 Leaks: General Requirements  
 218.446 Monitoring Program Plan for Leaks  
 218.447 Monitoring Program for Leaks  
 218.448 Recordkeeping for Leaks  
 218.449 Reporting for Leaks  
 218.450 Alternative Program for Leaks  
 218.451 Sealing Device Requirements  
 218.452 Compliance Schedule for Leaks  
 218.453 Compliance Dates (Repealed)

## SUBPART S: RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS

Section  
 218.461 Manufacture of Pneumatic Rubber Tires  
 218.462 Green Tire Spraying Operations  
 218.463 Alternative Emission Reduction Systems  
 218.464 Emission Testing  
 218.465 Compliance Dates (Repealed)  
 218.466 Compliance Plan (Repealed)

## SUBPART T: PHARMACEUTICAL MANUFACTURING

Section

## SUBPART W: AGRICULTURE

Section  
 218.541 Pesticide Exception

## SUBPART X: CONSTRUCTION

Section  
 218.561 Architectural Coatings  
 218.562 Paving Operations  
 218.563 Cutback Asphalt

## SUBPART Y: GASOLINE DISTRIBUTION

Section  
 218.581 Bulk Gasoline Plants  
 218.582 Bulk Gasoline Terminals  
 218.583 Gasoline Dispensing Facilities - Storage Tank Filling Operations  
 218.584 Gasoline Delivery Vessels  
 218.585 Gasoline Volatility Standards  
 218.586 Gasoline Dispensing Operations - Motor Vehicle Fueling Operations

## SUBPART Z: DRY CLEANERS

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Section  
 218.601 Perchloroethylene Dry Cleaners  
 218.602 Applicability  
 218.603 Leaks  
 218.604 Compliance Dates (Repealed)  
 218.605 Compliance Plan (Repealed)  
 218.606 Exception to Compliance Plan (Repealed)  
 218.607 Standards for Petroleum Solvent Dry Cleaners  
 218.608 Operating Practices for Petroleum Solvent Dry Cleaners  
 218.609 Program for Inspection and Repair of Leaks  
 218.610 Testing and Monitoring  
 218.611 Applicability for Petroleum Solvent Dry Cleaners  
 218.612 Compliance Dates (Repealed)  
 218.613 Compliance Plan (Repealed)

## SUBPART AA: PAINT AND INK MANUFACTURING

Section  
 218.620 Applicability  
 218.621 Exemption for Waterbase Material and Heatset Offset Ink  
 218.623 Permit Conditions (Repealed)  
 218.624 Open-Top Mills, Tanks, Vats or Vessels  
 218.625 Grinding Mills  
 218.626 Storage Tanks  
 218.628 Leaks  
 218.630 Clean Up  
 218.636 Compliance Schedule  
 218.637 Recordkeeping and Reporting

## SUBPART BB: POLYSTYRENE PLANTS

Section  
 218.640 Applicability  
 218.642 Emissions Limitation at Polystyrene Plants  
 218.644 Emissions Testing

## SUBPART CC: POLYESTER RESIN PRODUCT MANUFACTURING PROCESS

Section  
 218.660 Applicability  
 218.666 Control Requirements  
 218.667 Compliance Schedule  
 218.668 Testing  
 218.670 Recordkeeping and Reporting for Exempt Emission Units  
 218.672 Recordkeeping and Reporting for Subject Emission Units

## SUBPART DD: AEROSOL CAN FILLING

Section

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218.680 Applicability  
 218.686 Control Requirements  
 218.688 Testing  
 218.690 Recordkeeping and Reporting for Exempt Emission Units  
 218.692 Recordkeeping and Reporting for Subject Emission Units

## SUBPART GG: MARINE TERMINALS

Section  
 218.760 Applicability  
 218.762 Control Requirements  
 218.764 Compliance Certification  
 218.766 Leaks  
 218.768 Testing and Monitoring  
 218.770 Recordkeeping and Reporting  
 218.875 Applicability of Subpart BB (Renumbered)  
 218.877 Emissions Limitation at Polystyrene Plants (Renumbered)  
 218.879 Compliance Date (Repealed)  
 218.881 Compliance Plan (Repealed)  
 218.883 Special Requirements for Compliance Plan (Repealed)  
 218.886 Emissions Testing (Renumbered)

## SUBPART PP: MISCELLANEOUS FABRICATED PRODUCT MANUFACTURING PROCESSES

Section  
 218.920 Applicability  
 218.923 Permit Conditions (Repealed)  
 218.926 Control Requirements  
 218.927 Compliance Schedule  
 218.928 Testing

## SUBPART QQ: MISCELLANEOUS FORMULATION MANUFACTURING PROCESSES

Section  
 218.940 Applicability  
 218.943 Permit Conditions (Repealed)  
 218.946 Control Requirements  
 218.947 Compliance Schedule  
 218.948 Testing

## SUBPART RR: MISCELLANEOUS ORGANIC CHEMICAL MANUFACTURING PROCESSES

Section  
 218.960 Applicability  
 218.963 Permit Conditions (Repealed)  
 218.966 Control Requirements  
 218.967 Compliance Schedule  
 218.968 Testing



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## SUBPART TT: OTHER EMISSION UNITS

## Section

218.980 Applicability  
218.983 Permit Conditions (Repealed)  
218.986 Control Requirements  
218.987 Compliance Schedule  
218.988 Testing

## SUBPART UU: RECORDKEEPING AND REPORTING

Section  
218.990 Exempt Emission Units  
218.991 Subject Emission Units

APPENDIX A List of Chemicals Defining Synthetic Organic Chemical and Polymer Manufacturing  
APPENDIX B VOM Measurement Techniques for Capture Efficiency  
APPENDIX C Reference Methods and Procedures  
APPENDIX D Coefficients for the Total Resource Effectiveness Index (TRE) Equation  
APPENDIX E List of Affected Marine Terminals

AUTHORITY: Implementing Section 10 and authorized by Section 28.5 of the Environmental Protection Act [415 ILCS 5/10 and 28.5].

SOURCE: Adopted in R91-7 at 15 Ill. Reg. 12231, effective August 16, 1991; amended in R91-24 at 16 Ill. Reg. 13564, effective August 24, 1992; amended in R91-28 and R91-30 at 16 Ill. Reg. 13864, effective August 24, 1992; amended in R93-9 at 17 Ill. Reg. 16636, effective September 27, 1993; amended in R93-14 at 18 Ill. Reg. 14945, effective January 24, 1994; amended in R94-12 at 18 Ill. Reg. 14973, effective September 21, 1994; amended in R94-15 at 18 Ill. Reg. 16392, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16950, effective November 15, 1994; amended in R94-31 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

BOARD NOTE: This Part implements the Illinois Environmental Protection Act as of July 1, 1994.

NOTE: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets; and SUM means the summation series or sigma function as used in mathematics.

SUBPART H: PRINTING AND PUBLISHING

Section 218.405 Heatset-Web-Offset Lithographic Printing: Applicability

a) Applicability

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2a) Until March 15, 1996, the limitations of subsection (b) below Section 218.406 of this Subpart apply to all heatset-web-offset lithographic printing lines (including solvents used for cleanup operations associated with the heatset-web-offset lithographic printing line(s)) at a subject source subject to the requirements of this Subpart. All sources with heatset-web-offset lithographic printing lines are subject sources subject to the requirements of this Subpart unless:

A) Total maximum theoretical emissions of VOM from all heatset-web-offset lithographic printing lines (including solvent used for cleanup operations associated with the heatset-web-offset lithographic printing line(s)) at the source never exceed 90.7 Mg (100 tons) per calendar year in the absence of air pollution control equipment, or

B) A federally enforceable permit or SIP revision for all heatset-web-offset lithographic printing lines(s) at a source requires the owner or operator to limit production of capacity of these printing line(s) to reduce total VOM emissions from all heatset-web-offset lithographic printing line(s) to 90.7 Mg (100 tons) per calendar year or less in the absence of air pollution control equipment, and

2b) Any owner or operator of any heatset-web-offset lithographic printing line that is exempt from the limitations in subsection (b) of this Section 218.406 of this Subpart because of the criteria in subsection (a) of this Section shall be subject to the recordkeeping and reporting requirements in subsection (c) of this Section 218.406(b)(1) of this Subpart.

b) Specific Provisions: No owner or operator of a subject heatset-web-offset printing line may cause or allow the operation of the subject heatset-web-offset printing line unless the owner or operator meets the requirements in subsection (b)(1) or (b)(2) and the requirements in subsections (b)(3) and (b)(4) below.

1) An afterburner system is installed and operated that reduces 90 percent of the VOM emissions from the dryer exhaust, or

2) The fountain solution contains no more than 8 percent by weight of VOM and a condensation recovery system is installed and operated that removes at least 75 percent of the non-isopropyl alcohol organic materials from the dryer exhaust, and

3) The control device is equipped with the applicable monitoring equipment specified in Section 218.105(d)(2) of this Part and the monitoring equipment is installed, calibrated, operated, and maintained according to vendor specifications at all times the control device is in use, and

4) The control device is operated at all times when the subject printing line is in operation; the owner or operator shall demonstrate compliance with this Section by using the applicable test methods and procedures specified in Section 218.105(a)-(f) and (f) of this Part and by complying with the recordkeeping and reporting requirements specified in subsection (c) below.

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e) Recordkeeping and Reporting. The VOM content of each fountain solution and ink and the efficiency of each control device shall be determined by the applicable test methods and procedures specified in Section 201.05 of this Part to establish the records required under this subsection.

1) Any owner or operator of a printing line which is exempted from the limitations of subsection (b) of this Section because of the criteria in subsection (a) of this Section shall comply with the following:

A) By a date consistent with Section 201.06 of this Part, the owner or operator of a heatset web offset lithographic printing line to which subsection (c) of this Section is applicable shall certify to the Agency that the heatset web offset lithographic printing line is exempt under the provisions of subsection (a) of this Section. Such certification shall include:

1) A declaration that the heatset web offset lithographic printing line is exempt from the limitations of subsection (b) of this Section because of the criteria in subsection (a) of this Section; and

2) Calculations which demonstrate that the total maximum theoretical emissions of VOM from all heatset web offset lithographic printing lines at the source never exceed 90.7 Mg (100 tons) per calendar year before the application of air pollution control equipment. 90.7 Mg (100 tons) is the sum of maximum theoretical emissions of VOM from each heatset web offset lithographic printing line at the source. The following equation shall be used to calculate total maximum theoretical emissions of VOM per calendar year in the absence of air pollution control equipment for each heatset web offset lithographic printing line at the source:

$$E_{\text{tp}} = \frac{(A \times B) + (C \times D) + 1095}{100} \quad (\text{Eq. 6xH})$$

where:

$E_{\text{tp}}$  = total maximum theoretical emissions of VOM from one heatset web offset printing line in units of kg/year (100 tons);

A = weight of VOM per volume of solids of ink with the heatset web offset printing line applied each year on the printing line in units of kg VOM / (100 tons) of solids

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B = total volume of solids for all inks that can potentially be applied each year on the printing line in units of 1-year (100 tons). The instrument or method by which the owner or operator accurately measured or calculated the volume of each ink as applied and the amount that can potentially be applied each year on the printing line shall be described in the certification to the Agency; 7) the weight percent VOM of the fountain solution with the highest VOM content;

B) the total volume of fountain solution that can potentially be used each year on the printing line in units of 1-year (100 tons). The instrument and/or method by which the owner or operator accurately measured or calculated the volume of each fountain solution used and the amount that can potentially be used each year on the printing line shall be described in the certification to the Agency;

R = weight of VOM per volume of material for the cleanup material or solvent with the highest VOM content as used each year on the printing line in units of kg / (100 tons) of material;

S = the VOM content of cleanup material or solvent used in any 8-hour period; and

H = the highest fraction of cleanup material or solvent which is not recovered or disposed for offsite disposal during any 8-hour period.

B) On and after a date consistent with Section 201.06 of this Part, the owner or operator of a heatset web offset lithographic printing line to which subsection (c) of this Section is applicable shall obtain and record at least the following information each year for each printing line and maintain the information at the source for a period of three years:

1) the name and identification of each fountain solution and ink as applied on each printing line;

2) the VOM content and the volume of each fountain solution and ink applied each year on each printing line;

C) On and after a date consistent with Section 201.06 of this Part, the owner or operator of a source to which subsection (c) of this Section is applicable shall obtain and record at least the following information each year for each printing line and maintain the information at the source for a period of three years:



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2) Any owner or operator of a printing line subject to the limitations of subsection (b) of this Section and complying by means of subsection (b)(1) of this Section shall comply with the following:

A) By a date consistent with Section 210-106 of this Part or upon initial start-up of a new printing line or upon changing the method of compliance for an existing printing line from subsection (b)(1) to subsection (b)(2) of this Section, the owner or operator of the subject printing line shall perform all tests and submit to the Agency the results of all tests and calculations necessary to demonstrate that the subject printing line will be in compliance with subsection (b)(1) of this Section on and after a date consistent with Section 210-106 of this Part on and after the initial start-up date.

B) On and after a date consistent with Section 210-106 of this Part or on and after the initial start-up date, the owner or operator of a printing line subject to the limitations of subsection (b) of this Section and complying by means of subsection (b)(1) of this Section shall collect and record the following information each day for each printing line and maintain the information at the source for a period of three years:

- i) Control device monitoring data;
- ii) A log of operating time for the control device; monitoring equipment and the associated printing line;
- iii) A maintenance log for the control device and monitoring equipment detailing all routine and nonroutine maintenance performed including dates and duration of any outages;
- iv) On and after a date consistent with Section 210-106 of this Part, the owner or operator of a subject printing line shall notify the Agency in the following instances:

1) Any record showing violation of subsection (b)(1) of this Section shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation;

2) At least 30 calendar days before changing the method of compliance with subsection (b) of this Section from subsection (b)(1) to (b)(2) of this Section, the owner or operator shall comply with all requirements of subsection (b)(1) of this Section from subsection (b)(2) of this Section. Upon obtaining the method of compliance with subsection (b) of this Section from subsection (b)(2) to (b)(1) of this Section, the owner or operator shall comply with all requirements of subsection (b)(1) of this Section.

3) Any owner or operator of a printing line subject to the limitations of subsection (b) of this Section and complying by means of subsection (b)(2) of this Section shall comply with the

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following:

A) By a date consistent with Section 210-106 of this Part or upon initial start-up of a new printing line or upon changing the method of compliance for an existing printing line from subsection (b)(1) to (b)(2) of this Section, the owner or operator of the subject printing line shall perform all tests and submit to the Agency and the USPA the results of all tests and calculations necessary to demonstrate that the subject printing line will be in compliance with subsection (b)(2) of this Section on and after a date consistent with Section 210-106 of this Part on and after the initial start-up date.

B) On and after a date consistent with Section 210-106 of this Part or on and after the initial start-up date, the owner or operator of a printing line subject to the limitations of subsection (b) of this Section and complying by means of subsection (b)(2) of this Section shall collect and record the following information each day for each printing line and maintain the information at the source for a period of three years:

- i) The volume content of the fountain solution used each day on each printing line;
- ii) A log of operating time for the control device and the associated printing line;
- iii) A maintenance log for the control device detailing all routine and nonroutine maintenance performed including dates and duration of any outages;
- iv) On and after a date consistent with Section 210-106 of this Part, the owner or operator of a subject printing line shall notify the Agency in the following instances:

1) Any record showing violation of subsection (b)(2) of this Section shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation;

2) At least 30 calendar days before changing the method of compliance with subsection (b) of this Section from subsection (b)(1) to (b)(2) of this Section, the owner or operator shall comply with all requirements of subsection (b)(1) of this Section. Upon obtaining the method of compliance with subsection (b) of this Section from subsection (b)(2) to (b)(1) of this Section, the owner or operator shall comply with all requirements of subsection (b)(2) of this Section.

3) Compliance Schedule: Every owner or operator of a letter web offset lithograph printing line shall comply with the applicable requirements of subsections (b) and (c) of this Section in accordance with the appropriate compliance schedule specified in subsection (d)(1) or (d)(2) below:

1) No owner or operator of a letter web offset lithographic

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printing-line which is exempt from the limitations of subsection (b) of this Section because of the criteria in subsection (a) of this Section shall operate said printing line on or after a date consistent with Section 218.106 of this Part, unless the owner or operator has complied with, and continues to comply with, subsection (a)(1) and (c)(1) of this Part.

2) No owner or operator of a heatset web offset lithographic printing line complying by means of subsection (b)(1) of this Section shall operate said printing line on or after a date consistent with Section 218.106 of this Part, unless the owner or operator has complied with, and continues to comply with, subsection (b)(1)-(b)(3)-(b)(4) and (c)(1)-(c)(2) of this Section.

3) No owner or operator of a heatset web offset lithographic printing line complying by means of subsection (b)(2) of this Section shall operate said printing line on or after a date consistent with Section 218.106 of this Part, unless the owner or operator has complied with, and continues to comply with, subsection (b)(2)-(b)(3)-(b)(4) and (c)(3) of this Section.

c) On and after March 15, 1996, every owner or operator of lithographic printing line(s) is subject to the recordkeeping and reporting requirements in Section 218.411, and, if applicable, Section 218.412 of this Subpart.

d) On and after March 15, 1996, Sections 218.407 through 218.412 of this Subpart shall apply to:

1) All owners or operators of heatset web offset lithographic printing line(s) unless:

A) Total maximum theoretical emissions of VOM from all heatset web offset lithographic printing lines (including solvents used for cleanup operations associated with heatset web offset printing lines) at the source never exceed 90.7 Mg (100 tons) per calendar year before the application of capture systems and control devices. To determine a source's total maximum theoretical emissions of VOM for the purposes of this subsection, the owner or operator shall use the calculations set forth in Section 218.406(b)(1)(A)(ii) of this Subpart; or

B) Federally enforceable permit conditions or SIP revision for all heatset web offset lithographic printing line(s) at the source requires the owner or operator to limit production or capacity of these printing line(s) to total VOM emissions of 90.7 Mg/yr (100 TPY) or less, before the application of capture systems and control devices;

2) All owners or operators of heatset web offset, non-heatset web offset, or sheet-fed offset lithographic printing line(s), unless the combined actual emissions of VOM from all lithographic printing line(s) at the source (including solvents used for cleanup operations associated with the lithographic printing line(s)) never exceed 45.5 kg/day (100 lbs/day), as determined in accordance with Section 218.411(a)(1)(B), before the application

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of capture systems and control devices.

e) If a lithographic printing line at a source is or becomes subject to one or more of the limitations in Sections 218.406 or 218.407 of this Subpart, the lithographic printing line(s) at the source are always subject to the applicable provisions of this Subpart.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 218.406 Provisions Applying to Heatset Web Offset Lithographic Printing Prior to March 15, 1996

a) Emission Standards and Limitations. No owner or operator of a heatset web offset printing line at a source that meets or exceeds the applicability levels in Section 218.405(a) of this Subpart may cause or allow the operation of such heatset web offset printing line(s) unless the owner or operator meets the requirements in subsections (a)(1) or (a)(2) of this Section and the requirements in subsections (a)(3) and (a)(4) of this Section. The owner or operator shall demonstrate compliance with this Section by using the applicable test methods and procedures specified in Section 218.105(a), (d), and (f) of this Part and by complying with the recordkeeping and reporting requirements specified in subsection (b) of this Section.

1) An afterburner system is installed and operated that reduces 90 percent of the VOM emissions from the dryer exhaust; or

2) The fountain solution contains no more than 8 percent, by weight, of VOM and a condensation recovery system is installed and operated that removes at least 75 percent of the non-isopropyl alcohol organic materials from the dryer exhaust; and

3) The control device is equipped with the applicable monitoring equipment specified in Section 218.105(d)(2) of this Part and the monitoring equipment is installed, calibrated, operated and maintained according to manufacturer's specifications at all times when the control device is in use; and

4) The control device is operated at all times when the printing line is in operation.

b) Recordkeeping and Reporting. The VOM content of each fountain solution and ink and the efficiency of each control device shall be determined by the applicable test methods and procedures specified in Section 218.105 of this Part to establish the records required under this subsection.

1) Any owner or operator of a lithographic printing line which is exempted from the limitations of subsection (a) of this Section because of the criteria in 218.405(a) of this Subpart shall comply with the following:

A) By a date consistent with Section 218.106 of this Part, the owner or operator of a heatset web offset lithographic printing line to which subsection (b)(1) of this Section is applicable shall certify to the Agency that the heatset web



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offset lithographic printing line is exempt under the provisions of Section 218.405(a) of this Subpart. Such certification shall include:

- i) A declaration that the heatset web offset lithographic printing line is exempt from the limitations of subsection (a) of this Section because of the criteria in Section 218.405(a) of this Subpart; and
- ii) Calculations which demonstrate that total maximum theoretical emissions of VOM from all heatset web offset lithographic printing lines at the source never exceed 90.7 Mg (100 tons) per calendar year before the application of air pollution control equipment. Total maximum theoretical emissions of VOM for a heatset web offset lithographic printing source is the sum of maximum theoretical emissions of VOM from each heatset web offset lithographic printing line at the source. The following equation shall be used to calculate total maximum theoretical emissions of VOM per calendar year in the absence of air pollution control equipment for each heatset web offset lithographic printing line at the source:

$$E[p] = (A \times B) + (C \times D) + 1095 (F \times G \times H)$$

100

where:

$E[p]$  = Total maximum theoretical emissions of VOM from one heatset web offset printing line in units of kg/yr (lbs/yr);

A = Weight of VOM per volume of solids of ink with the highest VOM content as applied each year on the printing line in units of kg VOM/l (lbs VOM/gal) of solids;

B = Total volume of solids for all inks that can potentially be applied each year on the printing line in units of l/yr (gal/yr). The instrument or method by which the owner or operator accurately measured or calculated the volume of each ink as applied and the amount that can potentially be applied each year on the printing line shall be described in the certification to the Agency;

C = The weight percent VOM of the fountain solution with the highest VOM content;

D = The total volume of fountain solution that can potentially be used each year on the printing line in units of l/yr (gal/yr). The instrument and/or method by which the owner or operator accurately measured or calculated the volume of each fountain

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solution used and the amount that can potentially be used each year on the printing line shall be described in the certification to the Agency:

F = Weight of VOM per volume of material for the cleanup material or solvent with the highest VOM content as used each year on the printing line in units of Kg/l (lbs VOM/gal) of such material;

G = The greatest volume of cleanup material or solvent used in any 8-hour period; and

H = The highest fraction of cleanup material or solvent which is not recycled or recovered for offsite disposal during any 8-hour period.

B) On and after a date consistent with Section 218.106 of this Part, the owner or operator of a heatset web offset lithographic printing line to which subsection (b)(1) of this Section is applicable shall collect and record all of the following information each year for each printing line and maintain the information at the source for a period of three years:

- i) The name and identification of each fountain solution and ink as applied on each printing line; and
- ii) The VOM content and the volume of each fountain solution and ink as applied each year on each printing line.

C) On and after a date consistent with Section 218.106 of this Part, the owner or operator of a source exempted from the limitations of subsection (a) of this Section because of the criteria in Section 218.405(a) of this Subpart shall notify the Agency of any record showing that total maximum theoretical emissions of VOM from all heatset web offset printing lines exceed 90.7 Mg (100 tons) in any calendar year in the absence of air pollution control equipment by sending a copy of such record to the Agency within 30 days after the exceedance occurs.

2) Any owner or operator of a printing line subject to the limitations of subsection (a) of this Section and complying by means of subsection (a)(1) of this Section shall comply with the following:

A) By a date consistent with Section 218.106 of this Part, or upon initial start-up of a new printing line, or upon changing the method of compliance for an existing printing line from subsection (a)(2) to subsection (a)(1) of this Section, perform all tests and submit to the Agency the results of all tests and calculations necessary to demonstrate that the subject printing line will be in compliance with subsection (a)(1) of this Section on and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date;

B) On and after a date consistent with Section 218.106 of this



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Part, or on and after the initial start-up date, collect and record the following information each day for each printing line and maintain the information at the source for a period of three years:

- i) Control device monitoring data;
- ii) A log of operating time for the control device, monitoring equipment and the associated printing line; and
- iii) A maintenance log for the control device and monitoring equipment detailing all routine and nonroutine maintenance performed including dates and duration of any outages;

C) On and after a date consistent with Section 218.106 of this Part, notify the Agency in the following instances:

- i) Any violation of subsection (a)(1) of this Section shall be reported to the Agency, in writing, within 30 days following the occurrence of the violation;
- ii) Any record showing a violation of subsection (a)(1) of this Section shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation; and

iii) At least 30 calendar days before changing the method of compliance with subsection (a) of this Section from subsection (a)(1) to (a)(2) of this Section, the owner or operator shall comply with all requirements of subsection (b)(3)(A) of this Section. Upon changing the method of compliance with subsection (a) of this Section from subsection (a)(1) to subsection (a)(2) of this Section, the owner or operator shall comply with all requirements of subsection (b)(3) of this Section.

3) Any owner or operator of a printing line subject to the limitations of subsection (a) of this Section and complying by means of subsection (a)(2) of this Section shall:

- A) By a date consistent with Section 218.106 of this Part, or upon initial start-up of a new printing line, or upon changing the method of compliance for an existing printing line from subsection (a)(1) to subsection (a)(2) of this Section, perform all tests and submit to the Agency and the USPPA the results of all tests and calculations necessary to demonstrate that the subject printing line will be in compliance with subsection (a)(2) of this Section on and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date;

B) On and after a date consistent with Section 218.106 of this Part, or on and after the initial start-up date, collect and record the following information each day for each printing line and maintain the information at the source for a period of three years:

- i) The VOM content of the fountain solution used each day

- on each printing line;
- ii) A log of operating time for the control device and the associated printing line; and
- iii) A maintenance log for the control device detailing all routine and nonroutine maintenance performed including dates and duration of any outages;

C) On and after a date consistent with Section 218.106 of this Part, notify the Agency in the following instances:

- i) Any violation of subsection (a)(2) shall be reported to the Agency, in writing, within 30 days following the occurrence of the violation;
- ii) Any record showing a violation of subsection (a)(2) of this Section shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation; and

iii) At least 30 calendar days before changing the method of compliance with subsection (a) of this Section from subsection (a)(2) to subsection (a)(1) of this Section, the owner or operator shall comply with all requirements of subsection (b)(2)(A) of this Section. Upon changing the method of compliance with subsection (a) of this Section from subsection (a)(2) to subsection (a)(1) of this Section, the owner or operator shall comply with all requirements of subsection (b)(2) of this Section.

c) Compliance Schedule. Every owner or operator of a heatset web offset lithographic printing line shall comply with the applicable requirements of subsections (a) and (b) of this Section in accordance with the applicable compliance schedule specified in subsections (c)(1), (c)(2), or (c)(3) of this Section:

- 1) No owner or operator of a heatset web offset lithographic printing line which is exempt from the limitations of subsection (a) of this Section because of the criteria in Section 218.405(a) of this Subpart shall operate said printing line on or after a date consistent with Section 218.106 of this Part, unless the owner or operator has complied with, and continues to comply with, Sections 218.405(a) and 218.406(b)(1) of this Subpart.

2) No owner or operator of a heatset web offset lithographic printing line complying by means of subsection (a)(1) of this Section shall operate said printing line on or after a date consistent with Section 218.106 of this Part, unless the owner or operator has complied with, and continues to comply with, subsections (a)(1), (a)(3), (a)(4) and (b)(2) of this Section.

3) No owner or operator of a heatset web offset lithographic printing line complying by means of subsection (a)(2) of this Section shall operate said printing line on or after a date consistent with Section 218.106 of this Part, unless the owner or operator has complied with, and continues to comply with, subsections (a)(2), (a)(3), (a)(4) and (b)(3) of this Section.

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(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 218.407 Emission Limitations and Control Requirements for Lithographic Printing Lines On and After March 15, 1996

- a) On and after March 15, 1996, no owner or operator of lithographic printing line(s) subject to the requirements of this Subpart shall:
  - 1) Cause or allow the operation of any heatset web offset lithographic printing line unless:
    - A) The total VOM content in the as-applied fountain solution meets one of the following conditions:
      - i) 1.6 percent or less, by volume;
      - ii) 3 percent or less, by volume, and the temperature of the fountain solution is maintained below 15.6°C (60°F); or
      - iii) 5 percent or less, by volume, and the as-applied fountain solution contains no alcohol;
    - B) The air pressure in the dryer is maintained lower than the air pressure of the press room, such that air flow through all openings in the dryer, other than the exhaust, is into the dryer at all times when the printing line is operating;
    - C) An afterburner is installed and operated so that VOM emissions from the press dryer exhaust(s) are reduced by 90 percent, by weight, or to a maximum afterburner exhaust outlet concentration of 20 ppmv (as carbon);
    - D) The afterburner is equipped with the applicable monitoring equipment specified in Section 218.105(d)(2) of this Part and the monitoring equipment is installed, calibrated, operated, and maintained according to manufacturer's specifications at all times when the afterburner is in use; and
    - E) The afterburner is operated at all times when the printing line is in operation;
  - 2) Cause or allow the operation of any non-heatset web offset lithographic printing line unless the VOM content of the as-applied fountain solution is 5 percent or less, by volume, and the as-applied fountain solution contains no alcohol;
- 3) Cause or allow the operation of any sheet-fed offset lithographic printing line unless:
  - A) The VOM content of the as-applied fountain solution is 5 percent or less, by volume; or
  - B) The VOM content of the as-applied fountain solution is 8.5 percent or less, by volume, and the temperature of the fountain solution is maintained below 15.6°C (60°F); or
- 4) Cause or allow the use of a cleaning solution on any lithographic printing line unless:
  - A) The VOM content of the as-used cleaning solution is less

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- than or equal to than 30 percent, by weight; or
  - B) The VOM composite partial vapor pressure of the as-used cleaning solution is less than 10 mmHg at 20°C (68°F);
  - 5) Cause or allow VOM containing cleaning materials, including used cleaning towels, associated with any lithographic printing line to be kept, stored or disposed of in any manner other than in closed containers.
  - b) An owner or operator of a heatset web offset lithographic printing line subject to the requirements of Section 218.407(a)(1)(C) of this Subpart may use a control device other than an afterburner, if:
    - 1) The control device reduces VOM emissions from the press dryer exhaust(s) by at least 90 percent, by weight, or to a maximum control device exhaust outlet concentration of 20 ppmv (as carbon);
    - 2) The owner or operator submits a plan to the Agency detailing appropriate monitoring devices, test methods, recordkeeping requirements, and operating parameters for the control device; and
    - 3) The use of the control device with testing, monitoring, and recordkeeping in accordance with this plan is approved by the Agency and USEPA as federally enforceable permit conditions.
- (Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 218.408 Compliance Schedule for Lithographic Printing On and After March 15, 1996

- a) Every owner or operator of a lithographic printing line subject to one or more of the control requirements of Section 218.407 of this Subpart shall comply with the applicable requirements of Sections 218.407 through 218.411, and, if applicable, 218.412 of this Subpart on and after March 15, 1996, or upon initial start-up, whichever is later.
- b) No owner or operator of a lithographic printing line which is exempt from the limitations of Section 218.407 of this Subpart because of the criteria in Section 218.405(d) of this Subpart, shall operate said printing line on or after March 15, 1996, unless the owner or operator has complied with, and continues to comply with, Sections 218.405(d) and 218.411(a) of this Subpart.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 218.409 Testing for Lithographic Printing On and After March 15, 1996

- a) Testing to demonstrate compliance with the requirements of Section 218.407 of this Subpart shall be conducted by the owner or operator upon request of the Agency. Such testing shall be conducted at the expense of the owner or operator and the owner or operator shall



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notify the Agency in writing 30 days in advance of conducting such testing to allow the Agency to be present during such testing.

- b) The methods and procedures of Section 218.105(d) and (f) shall be used for testing to demonstrate compliance with the requirements of Section 218.407(a)(1)(C) or (b)(1) of this Subpart, as follows:

- 1) To select the sampling sites, Method 1 or 1A, as appropriate, 40 CFR 60, Appendix A, incorporated by reference at Section 218.112 of this Part. The sampling sites for determining efficiency in reducing VOM from the dryer exhaust shall be located between the dryer exhaust and the control device inlet, and between the outlet of the control device and the exhaust to the atmosphere; To determine the volumetric flow rate of the exhaust stream, Method 2, 2A, 2C, or 2D, as appropriate, 40 CFR 60, Appendix A, incorporated by reference at Section 218.112 of this Part;
- 2) To determine the VOM concentration of the exhaust stream entering and exiting the control device, Method 25 or 25A, as appropriate, 40 CFR 60, Appendix A, incorporated by reference at Section 218.112 of this Part. For thermal and catalytic afterburners, Method 25 must be used except under the following circumstances, in which case Method 25A must be used:

- A) The allowable outlet concentration of VOM from the control device is less than 50 ppmv, as carbon;

- B) The VOM concentration at the inlet of the control device and the required level of control result in exhaust concentrations of VOM of 50 ppmv, or less, as carbon; and

- C) Due to the high efficiency of the control device, the anticipated VOM concentration at the control device exhaust is 50 ppmv or less, as carbon, regardless of inlet concentration. If the source elects to use Method 25A under this option, the exhaust VOM concentration must be 50 ppmv or less, as carbon, and the required destruction efficiency must be met for the source to have demonstrated compliance. If the Method 25A test results show that the required destruction efficiency apparently has been met, but the exhaust concentration is above 50 ppmv, as carbon, Method 25 must instead be used.

- 4) Notwithstanding the criteria or requirements in Method 25 which specifies a minimum probe temperature of 129°C (265°F), the probe must be heated to at least the gas stream temperature of the dryer exhaust, typically close to 176.7°C (350°F);

- 5) During testing, the printing line(s) shall be operated at representative operating conditions and flow rates; and

- 6) During testing, an air flow direction indicating device shall be used to demonstrate 100 percent emissions capture efficiency for the dryer in accordance with Section 218.407(a)(1)(B) of this Subpart.

- c) Testing to demonstrate compliance with the VOM content limitations in Section 218.407(a)(1)(A), (a)(2), (a)(3) and (a)(4)(A) of this Subpart, and to determine the VOM content of fountain solutions,

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• fountain solution additives, cleaning solvents, cleaning solutions, and inks (pursuant to the requirements of Section 218.411(a)(1)(B) of this Subpart), shall be conducted upon request of the Agency, as follows:

- 1) The applicable test methods and procedures specified in Section 218.105(a) of this Part shall be used; provided, however, Method 24, incorporated by reference at Section 218.112 of this Part, shall be used to demonstrate compliance; or

- 2) The manufacturer's specifications for VOM content for fountain solution additives, cleaning solvents, and inks may be used if such manufacturer's specifications are based on results of tests of the VOM content conducted in accordance with methods specified in Section 218.105(a) of this Part; provided, however, Method 24 shall be used to determine compliance.

- d) Testing to demonstrate compliance with the requirements of Section 218.407(b) of this Subpart shall be conducted as set forth in the owner or operator's plan approved by the Agency and USEPA as federally enforceable permit conditions pursuant to Section 218.407(b) of this Subpart.

- e) Testing to determine the composite partial vapor pressure of cleaning solvents, cleaning solvent concentrates, and as-used cleaning solutions shall be conducted in accordance with the applicable methods and procedures specified in Section 218.110 of this Part.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 218.410 Monitoring Requirements for Lithographic Printing

## a) Fountain Solution Temperature

- 1) The owner or operator of any lithographic printing line(s) relying on the temperature of the fountain solution to demonstrate compliance shall install, maintain, and continuously operate a temperature monitor of the fountain solution in the reservoir or fountain tray, as applicable.

- 2) The temperature monitor must be capable of reading with an accuracy of 0.3°C or 0.5°F, and must be attached to an automatic, continuous recording device such as a strip chart, recorder, or computer, with at least the same accuracy, that is installed, calibrated and maintained in accordance with the manufacturer's specifications.

## b) Fountain Solution VOM Content

- 1) The owner or operator of any lithographic printing line(s) subject to Section 218.407(a)(1)(A), (a)(2) or (a)(3) of this Subpart shall:

- A) For a fountain solution to which VOM is not added automatically, take a sample of the as-applied fountain solution from the fountain tray or reservoir, as applicable, each time a fresh batch of fountain solution is prepared or



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each time VOM is added to an existing batch of fountain solution in the fountain tray or reservoir, and shall determine compliance with the VOM content limitation of the as-applied fountain solution by using one of the following options:

- i) With a refractometer or hydrometer with a visual, analog, or digital readout and with an accuracy of 0.5 percent. The refractometer or hydrometer must be calibrated with a standard solution for the type of VOM used in the fountain solution, in accordance with manufacturer's specifications, against measurements performed to determine compliance. The refractometer or hydrometer must be corrected for temperature at least once per 8-hour shift or once per batch of fountain solution prepared or modified, whichever is longer; or
  - ii) With a conductivity meter if it is demonstrated that a refractometer and hydrometer cannot distinguish between compliant and noncompliant fountain solution for the type and amount of VOM in the fountain solution. A source may use a conductivity meter if it demonstrates that both hydrometers and refractometers fail to provide significantly different measurements for standard solutions containing 95 percent, 100 percent and 105 percent of the applicable VOM content limit. The conductivity meter reading for the fountain solution must be referenced to the conductivity of the incoming water. A standard solution shall be used to calibrate the conductivity meter for the type of VOM used in the fountain solution, in accordance with manufacturer's specifications.
- B) For fountain solutions to which VOM is added at the source with automatic feed equipment, determine the VOM content of the as-applied fountain solution based on the setting of the automatic feed equipment which makes additions of VOM up to a pre-set level. The equipment used to make automatic additions must be installed, calibrated, operated and maintained in accordance with manufacturer's specifications.
- 2) The owner or operator of lithographic printing line(s) subject to Section 218.407(a)(1)(A), (a)(2) or (a)(3) of this Subpart may elect an alternative means of demonstrating compliance with the VOM content limit (e.g., an equivalent alternative recordkeeping system) that allows determination of compliance with at least equal frequency and reliability, if approved by the Agency and USEPA as federally enforceable permit conditions.
- C) Afterburners For Heatset Web Offset Lithographic Printing Line(s)  
If an afterburner is used to demonstrate compliance, the owner or operator of a heatset web offset lithographic printing line subject to

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Section 218.407(a)(1)(C) of this Subpart shall:

- 1) Install, calibrate, maintain, and operate temperature monitoring device(s) with an accuracy of 3°C or 5°F on the afterburner in accordance with Section 218.105(d)(2) of this Part and in accordance with the manufacturer's specifications. Monitoring shall be performed at all times when the afterburner is operating; and

- 2) Install, calibrate, operate and maintain, in accordance with manufacturer's specifications, a continuous recorder on the temperature monitoring device(s), such as a strip chart, recorder or computer, with at least the same accuracy as the temperature monitor.

d) Other Control Devices for Heatset Web Offset Lithographic Printing Line(s)

If a control device other than an afterburner is used to demonstrate compliance, the owner or operator of a heatset web offset lithographic printing line subject to this Subpart shall install, maintain, calibrate and operate such monitoring equipment as set forth in the owner or operator's plan approved by the Agency and USEPA pursuant to Section 218.407(b) of this Subpart.

e) Cleaning Solution

- 1) The owner or operator of any lithographic printing line relying on the VOM content of the cleaning solution to comply with Section 218.407(a)(4)(A) of this Subpart must:

A) For cleaning solutions that are prepared at the source with equipment that automatically mixes cleaning solvent and water (or other non-VOM):

- i) Install, operate, maintain, and calibrate the automatic feed equipment in accordance with manufacturer's specifications to regulate the volume of each of the cleaning solvent and water (or other non-VOM), as mixed; and
- ii) Pre-set the automatic feed equipment so that the consumption rates of the cleaning solvent and water (or other non-VOM), as applied, comply with Section 218.407(a)(4)(A) of this Subpart;

B) For cleaning solutions that are not prepared at the source with automatic feed equipment, keep records of the usage of cleaning solvent and water (or other non-VOM) as set forth in Section 218.411(d)(2), or, if applicable, 218.412(d)(2) of this Subpart.

- 2) The owner or operator of any lithographic printing line relying on the vapor pressure of the cleaning solution to comply with Section 218.407(a)(4)(B) of this Subpart must keep records for such cleaning solutions used on any such line(s) as set forth in Section 218.411(d)(2)(C), or, if applicable, Section 218.412(d)(2) of this Subpart.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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**Section 218.411 Recordkeeping and Reporting for Lithographic Printing**

a) An owner or operator of lithographic printing line(s) exempt from the limitations of Section 218.407 of this Subpart because of the criteria in Section 218.405(d) of this Subpart shall comply with the following:

1) By March 15, 1996, upon initial start-up of a new lithographic printing line, and upon modification of a lithographic printing line, submit a certification to the Agency that includes:

A) A declaration that the source is exempt from the control requirements in Section 218.407 of this Part because of the criteria in Section 218.405(d) of this Subpart;

B) Calculations which demonstrate that combined actual emissions of VOM from all lithographic printing lines (including inks, fountain solutions, and solvents used for cleanup operations associated with the lithographic printing lines) at the source never exceed 45.5 kg/day (100 lbs/day) before the use of capture systems and control devices, as follows:

i) To calculate actual daily emissions of VOM, the owner or operator shall determine the monthly emissions of VOM from all lithographic printing lines at the source (including solvents used for cleanup operations associated with the lithographic printing lines) and divide this amount by the number of days during that calendar month that printing lines at the source were in operation;

ii) To determine the VOM content of the inks, fountain solution additives and cleaning solvents, the tests methods and procedures set forth in Section 218.409(c) of this Subpart shall be used;

iii) To determine VOM emissions from ink used on lithographic printing line(s) at the source, an emission adjustment factor of 0.05 shall be used in calculating emissions from all non-heatset inks, and a factor of 0.80 shall be used in calculating emissions from all heatset inks to account for VOM retention in the substrate. The VOM content of the ink, as used, shall be multiplied by this factor to determine the amount of VOM emissions from the use of ink on the printing line(s); and

iv) To determine VOM emissions from fountain solutions and cleaning solvents used on lithographic printing line(s) at the source, no retention factor is used;

C) Either a declaration that the source, through federally enforceable permit conditions, has limited its maximum theoretical emissions of VOM from all heatset web offset lithographic printing lines (including solvents used for

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cleanup operations associated with heatset web offset printing lines) at the source to no more than 90.7 Mg (100 tons) per calendar year before the application of capture systems and control devices or calculations which demonstrate that the source's total maximum theoretical emissions of VOM do not exceed 90.7 Mg/yr (100 TPY). To determine the source's total maximum theoretical emissions for the purposes of this subsection, the owner or operator shall use the calculations set forth in Section 218.406(b)(1)(A)(ii) of this Subpart; and

D) A description and the results of all tests used to determine the VOM content of inks, fountain solution additives, and cleaning solvents, and a declaration that all such tests have been properly conducted in accordance with Section 218.409(c)(1) of this Subpart;

2) On and after March 15, 1996, collect and record all of the following information for each lithographic printing line at the source:

A) The name and identification of each fountain solution additive, ink, and cleaning solvent used on each lithographic printing line, recorded each month;

B) A daily record which shows whether or not a printing line at the source was in operation on that day;

C) The VOM content and the volume of each fountain solution additive, ink, and cleaning solvent used on each lithographic printing line, recorded each month;

D) The total VOM emissions at the source each month, determined as the sum of the product of usage and VOM content for each fountain solution additive, cleaning solvent, and ink (with the applicable VOM emission adjustment) used at the source, calculated each month; and

E) The actual VOM emissions in lbs/day for the month, calculated in accordance with Section 218.411(a)(1)(B);

3) On and after March 15, 1996, notify the Agency in writing if the combined actual emissions of VOM from all lithographic printing lines (including inks, fountain solutions, and solvents used for cleanup operations associated with the lithographic printing lines) at the source ever exceed 45.5 kg/day (100 lbs/day), before the use of capture systems and control devices, within 30 days after the event occurs. Such notification shall include a copy of all records of such event.

b) An owner or operator of a heatset web offset lithographic printing line(s) subject to the control requirements of Section 218.407(a)(1)(C) or (b)(1) of this Subpart shall comply with the following:

1) By March 15, 1996, upon initial start-up of a new printing line, and upon initial start-up of a new control device for a heatset web offset printing line, submit a certification to the Agency that includes the following:



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- A) An identification of each heatset web offset lithographic printing line at the source;
- B) A declaration that each heatset web offset lithographic printing line is in compliance with the requirements of Section 218.407 (a)(1)(B), (a)(1)(C), (a)(1)(D) and (a)(1)(E) or (b) of this Subpart, as appropriate;
- C) The type of afterburner or other approved control device used to comply with the requirements of Section 218.407(a)(1)(C) or (b)(1) of this Subpart;
- D) The control requirements in Section 218.407(a)(1)(C) or (b)(1) of this Subpart with which the lithographic printing line is complying;
- E) The results of all tests and calculations necessary to demonstrate compliance with the control requirements of Section 218.407(a)(1)(C) or (b)(1) of this Subpart, as applicable; and
- F) A declaration that the monitoring equipment required under Section 218.407(a)(1)(D) or (b) of this Subpart, as applicable, has been properly installed and calibrated according to manufacturer's specifications;
- 2) If testing of the afterburner or other approved control device is conducted pursuant to Section 218.409(b) of this Subpart, the owner or operator shall, within 90 days of conducting such testing, submit a copy of all test results to the Agency and shall submit a certification to the Agency that includes the following:
- A) A declaration that all tests and calculations necessary to demonstrate whether or not the lithographic printing line(s) is in compliance with Section 218.407(a)(1)(C) or (b)(1) of this Subpart, as applicable, have been properly performed;
- B) A statement whether the lithographic printing line(s) is or is not in compliance with Section 218.407(a)(1)(C) or (b)(1) of this Subpart, as applicable; and
- C) The operating parameters of the afterburner or other approved control device during testing, as monitored in accordance with Section 218.410(c) or (d) of this Subpart, as applicable;
- 3) On and after March 15, 1996, collect and record daily the following information for each heatset web offset lithographic printing line subject to the requirements of Section 218.407(a)(1)(C) or (b)(1) of this Subpart:
- A) Afterburner or other approved control device monitoring data in accordance with Section 218.410(c) or (d) of this Subpart, as applicable;
- B) A log of operating time for the afterburner or other approved control device, monitoring equipment, and the associated printing line;
- C) A maintenance log for the afterburner or other approved control device and monitoring equipment detailing all

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- routine and non-routine maintenance performed, including dates and duration of any outages; and
- D) A log detailing checks on the air flow direction or air pressure of the dryer and press room to insure compliance with the requirements of Section 218.407(a)(1)(B) of this Subpart at least once per 24-hour period while the line is operating;
- 4) On and after March 15, 1996, notify the Agency in writing of any violation of Section 218.407(a)(1)(C) or (b)(1) of this Subpart within 30 days after the occurrence of such violation. Such notification shall include a copy of all records of such violation;
- 5) If changing its method of compliance between subsections (a)(1)(C) and (b) of Section 218.407 of this Subpart, certify compliance for the new method of compliance in accordance with subsection (b)(1) of this Section at least 30 days before making such change, and perform all tests and calculations necessary to demonstrate that such printing line(s) will be in compliance with the requirements of Section 218.407(a)(1)(B), (a)(1)(C), (a)(1)(D) and (a)(1)(E) of this Subpart, or Section 218.407(b) of this Subpart, as applicable.
- C) An owner or operator of a lithographic printing line subject to Section 218.407(a)(1)(A), (a)(2), or (a)(3) of this Subpart, shall:
- 1) By March 15, 1996, and upon initial start-up of a new lithographic printing line, certify to the Agency that fountain solutions used on each lithographic printing line will be in compliance with the applicable VOM content limitation. Such certification shall include:
- A) Identification of each lithographic printing line at the source, by type, e.g., heatset web offset, non-heatset web offset, or sheet-fed offset;
- B) The VOM content limitation with which each fountain solution will comply;
- C) Initial documentation that each type of fountain solution will comply with the applicable VOM content limitation, including copies of manufacturer's specifications, test results, if any, formulation data and calculations;
- D) Identification of the method that will be used to demonstrate continuing compliance with the applicable limitation, e.g., a refractometer, hydrometer, conductivity meter, or alternative procedures with detailed description of the compliance methodology; and
- E) A sample of the records that will be kept pursuant to Section 218.411(c)(2) of this Subpart.
- 2) On and after March 15, 1996, collect and record the following information for each fountain solution used on each lithographic printing line:
- A) The name and identification of each batch of fountain solution prepared for use on lithographic printing line(s);



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and the applicable VOM content limitation for the batch;  
 B) If an owner or operator uses a hydrometer, refractometer, or conductivity meter, pursuant to Section 218.410(b)(1)(A), to demonstrate compliance with the applicable VOM content limit in Section 218.407(a)(1)(A), (a)(2), or (a)(3) of this Subpart:

- i) The date and time of preparation, and each subsequent modification, of the batch;
  - ii) The results of each measurement taken in accordance with Section 218.410(b) of this Subpart;
  - iii) Documentation of the periodic calibration of the meter in accordance with the manufacturer's specifications, including date and time of calibration, personnel conducting, identity of standard solution, and resultant reading; and
  - iv) Documentation of the periodic temperature adjustment of the meter, including date and time of adjustment, personnel conducting and results.
- C) If the VOM content of the fountain solution is determined pursuant to Section 218.410(b)(2) of this Subpart, for each batch of as-applied fountain solution:
- i) Date and time of preparation and each subsequent modification of the batch;
  - ii) Calculated VOM content of the as-applied fountain solution; and
  - iii) Any other information necessary to demonstrate compliance with the applicable VOM content limits in Section 218.407(a)(1)(A), (a)(2) and (a)(3) of this Subpart, as specified in the source's operating permit;

D) If the owner or operator relies on the temperature of the fountain solution to comply with the requirements in Section 218.407(a)(1)(A)(ii) or (a)(3)(B) of this Subpart:

- i) The temperature of the fountain solution at each printing line, as monitored in accordance with Section 218.410(a); and
- ii) A maintenance log for the temperature monitoring devices detailing all routine and non-routine maintenance performed, including dates and duration of any outages;

3) Notify the Agency in writing of any violation of Section 218.407 of this Subpart within 30 days after the occurrence of such violation. Such notification shall include a copy of all records of such violation; and

4) If changing its method of demonstrating compliance with the applicable VOM content limitations in Section 218.407 of this Subpart, or changing the method of demonstrating compliance with the VOM content limitations for fountain solutions pursuant to Section 218.409 of this Subpart, certify compliance for such new

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method(s) in accordance with subsection (c)(1) of this Section at least 30 days before making such change, and perform all tests and calculations necessary to demonstrate that such printing line(s) will be in compliance with the applicable requirements of Section 218.407 of this Subpart.

d) For lithographic printing line cleaning operations, an owner or operator of a lithographic printing line subject to the requirements of Section 218.407 of this Subpart shall:

- 1) By March 15, 1996, or upon initial start-up of a new lithographic printing line, certify to the Agency that all cleaning solutions, and the handling of cleaning materials, will be in compliance with the requirements of Section 218.407(a)(4)(A) or (a)(4)(B) and (a)(5) of this Subpart, and such certification shall also include:

A) Identification of each VOM-containing cleaning solution used on each lithographic printing line;

B) The limitation with which each VOM-containing cleaning solution will comply, i.e., the VOM content or vapor pressure;

C) Initial documentation that each VOM-containing cleaning solution will comply with the applicable limitations, including copies of manufacturer's specifications, test results, if any, formulation data and calculations;

D) Identification of the method that will be used to demonstrate continuing compliance with the applicable limitations;

E) A sample of the records that will be kept pursuant to Section 218.411(d)(2) of this Subpart; and

F) A description of the practices that assure that VOM-containing cleaning materials are kept in closed containers;

2) On and after March 15, 1996, collect and record the following information for each cleaning solution used on each lithographic printing line:

A) For each cleaning solution for which the owner or operator relies on the VOM content to demonstrate compliance with Section 218.407(a)(4)(A) of this Subpart and which is prepared at the source with automatic equipment:

- i) The name and identification of each cleaning solution;
- ii) The VOM content of each cleaning solvent in the cleaning solution, as determined in accordance with Section 218.409(c) of this Subpart;

iii) Each change to the setting of the automatic equipment, with date, time, description of changes in the cleaning solution constituents (e.g., cleaning solvents), and a description of changes to the proportion of cleaning solvent and water (or other non-VOM);

iv) The proportion of each cleaning solvent and water (or

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other non-VOM) used to prepare the as-used cleaning solution:

- v) The VOM content of the as-used cleaning solution, with supporting calculations; and
- vi) A calibration log for the automatic equipment, detailing periodic checks;

B) For each batch of cleaning solution for which the owner or operator relies on the VOM content to demonstrate compliance with Section 218.407(a)(4)(A) of this Subpart, and which is not prepared at the source with automatic equipment:

- i) The name and identification of each cleaning solution;
- ii) Date and time of preparation, and each subsequent modification, of the batch;
- iii) The VOM content of each cleaning solvent in the cleaning solution, as determined in accordance with Section 218.409(c) of this Subpart;
- iv) The total amount of each cleaning solvent and water (for other non-VOM) used to prepare the as-used cleaning solution; and

v) The VOM content of the as-used cleaning solution, with supporting calculations;

C) For each batch of cleaning solution for which the owner or operator relies on the vapor pressure of the cleaning solution to demonstrate compliance with Section 218.407(a)(4)(B) of this Subpart:

- i) The name and identification of each cleaning solution;
- ii) Date and time of preparation, and each subsequent modification, of the batch;
- iii) The molecular weight, density, and VOM composite partial vapor pressure of each cleaning solvent, as determined in accordance with Section 218.409(e) of this Subpart;
- iv) The total amount of each cleaning solvent used to prepare the as-used cleaning solution; and
- v) The VOM composite partial vapor pressure of each as-used cleaning solution, as determined in accordance with Section 218.409(e) of this Subpart;

D) The date, time and duration of scheduled inspections performed to confirm the proper use of closed containers to control VOM emissions, and any instances of improper use of closed containers, with descriptions of actual practice and corrective action taken, if any;

3) On and after March 15, 1996, notify the Agency in writing of any violation of Section 218.407 of this Subpart within 30 days after the occurrence of such violation. Such notification shall include a copy of all records of such violation; and

4) If changing its method of demonstrating compliance with the requirements of Section 218.407(a)(4) of this Subpart, or changing between automatic and manual methods of preparing

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cleaning solutions, certify compliance for such new method in accordance with subsection (d)(1) of this Section, at least 30 days before making such change, and perform all tests and calculations necessary to demonstrate that such printing line(s) will be in compliance with the applicable requirements of Section 218.407(a)(4) of this Subpart.

e) The owner or operator shall maintain all records required by this Section at the source for a minimum period of three years and shall make all records available to the Agency upon request.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 218.412 Recordkeeping and Reporting for Fountain and Cleaning Solution Stricter Limits

a) An owner or operator of lithographic printing line(s) subject to the requirements of Section 218.407(a)(1)(A), (a)(2), or (a)(3) of this Subpart may elect to comply with the recordkeeping and reporting requirements of subsection (b) of this Section, rather than the recordkeeping and reporting requirements in Section 218.411(c) of this Subpart and the applicable monitoring requirements in Section 218.409 of this Subpart for each lithographic printing line that meets the following criteria:

1) The VOM content of the as-applied fountain solution is subject to federally enforceable permit conditions contained in the source's operating permit that limit the VOM content of the as-applied fountain solution to 75% or less of the applicable VOM content limit in Section 218.407(a)(1)(A), (a)(2), or (a)(3) of this Subpart. Each such as-applied fountain solution is hereinafter referred to as the "75% Fountain Solution";

2) The owner or operator submits to the Agency six consecutive months of records of the type and with the information specified in Section 218.411(c)(2) of this Subpart demonstrating that the VOM content of the as-applied fountain solution would comply with the applicable 75% Fountain Solution VOM content limit, as specified in the source's operating permit; and

3) The owner or operator notifies the Agency in writing at least 45 days in advance of such change and submits a certification in accordance with subsection (b)(1) of this Section. Such notification shall include a summary of the records relied upon pursuant to subsection (a)(2) of this Section.

b) The owner or operator electing to comply with subsections (a) and (b) of this Section shall for each lithographic printing line to which the 75% Fountain Solution is applied:

- 1) Certify to the Agency that each as-applied fountain solution complies with the applicable 75% Fountain Solution VOM content limit contained in the source's operating permit. Such certification shall include:



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- A) Identification of the lithographic printing line(s) at the source, by type, e.g., heatset web offset, non-heatset web offset, or sheet-fed offset, to which the 75% Fountain Solution is applied; and
- B) The otherwise applicable VOM content limitation for each 75% Fountain Solution, as specified in Section 218.407(a)(1)(A), (a)(2), or (a)(3) of this Subpart;
- 2) Collect and record the following information for each 75% Fountain Solution used on each lithographic printing line:
- A) The name and identification of each 75% Fountain Solution, recorded each month;
- B) The VOM content of each fountain solution additive in the 75% Fountain Solution, determined in accordance with Section 218.409(c) of this Subpart;
- C) The total amount of each fountain solution additive and water (or other non-VOM) used to prepare the 75% Fountain Solution, recorded each month; and
- D) The VOM content of the 75% Fountain Solution, calculated on a monthly basis, with supporting calculations;
- 3) If the owner or operator also relies on the temperature of the fountain solution to demonstrate compliance with Section 218.407(a)(1)(A)(ii) or (a)(3)(B) of this Subpart, collect and record the information specified in Section 218.411(c)(2)(D) of this Subpart; and
- 4) Notify the Agency in writing of any violation of a 75% Fountain Solution VOM content limit, within 30 days after the occurrence of such violation. Such notification shall include a copy of all records of such violation.
- c) An owner or operator of lithographic printing line(s) subject to the requirements of Section 218.411(a)(4) of this Subpart may elect to comply with the recordkeeping and reporting requirements of subsection (d) of this Section, rather than the recordkeeping and reporting requirements in Section 218.411(d) of this Subpart and the applicable monitoring requirements in Section 218.409 of this Subpart for each lithographic printing line that meets the following criteria:
- 1) The VOM content or the VOM composite partial vapor pressure of the as-used cleaning solution, as applicable, is subject to federally enforceable permit conditions contained in the source's operating permit that limit the VOM content or the VOM composite partial vapor pressure of the as-used cleaning solution to 75% or less of the VOM content limit in Section 218.407(a)(4)(A) of this Subpart or to 75% or less of the VOM composite partial vapor pressure limit in Section 218.402(a)(4)(B) of this Subpart, respectively. Each such as-used cleaning solution is hereinafter referred to as the "75% Cleaning Solution;"
- 2) The owner or operator submits to the Agency six consecutive months of records of the type and with the information specified in Section 218.411(d)(2)(A), (d)(2)(B), or (d)(2)(C) of this Subpart, as applicable, demonstrating that the VOM content or the

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- VOM composite partial vapor pressure (as applicable) of the as-used cleaning solution would comply with the applicable 75% Cleaning Solution VOM content limit or the VOM composite partial vapor pressure limit, as specified in the source's operating permit; and
- 3) The owner or operator notifies the Agency in writing at least 45 days in advance of such change and submits a certification in accordance with subsection (d)(1) of this Section. Such notification shall include a summary of the records relied upon pursuant to the subsection (c)(2) of this Section.
- d) The owner or operator electing to comply with subsections (c) and (d) of this Section shall for each lithographic printing line on which the 75% Cleaning Solution is used:
- 1) Certify to the Agency that each as-used cleaning solution complies with the applicable 75% Cleaning Solution VOM content limit or VOM composite partial vapor pressure limit contained in the source's operating permit. Such certification shall include:
- A) Identification of the lithographic printing line(s) at the source to which the 75% Cleaning Solution is applied; and
- B) Whether the as-used cleaning solution achieves a VOM content limit or VOM composite partial vapor pressure that is 75% of the otherwise applicable limitation, as specified in Section 218.407(a)(4)(A) or (a)(4)(B), respectively;
- 2) Collect and record the following information for 75% Cleaning Solution used on each lithographic printing line:
- A) The name and identification of each 75% Cleaning Solution, recorded each month;
- B) The VOM content or the VOM composite partial vapor pressure, as applicable, of each cleaning solvent in the 75% Cleaning Solution, determined in accordance with Section 218.409(e)(1) or (e)(2) of this Subpart, as applicable;
- C) The total amount of each cleaning solvent and water (or other non-VOM) used to prepare the 75% Cleaning Solution, recorded each month; and
- D) The VOM content or the VOM composite partial vapor pressure, as applicable, of the 75% Cleaning Solution, calculated on a monthly basis, with supporting calculations;
- 3) Notify the Agency in writing of any violation of a 75% Cleaning Solution VOM content limit or VOM composite partial vapor pressure limit within 30 days after the occurrence of such violation. Such notification shall include a copy of all records of such violation.
- e) The owner or operator shall maintain all records required by this Section at the source for a minimum period of three years and shall make all records available to the Agency upon request.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



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## SUBPART T: PHARMACEUTICAL MANUFACTURING

## Section 218.480 Applicability

- a) The rules of this Subpart, except for Sections 218.483 through 218.485 of this Part, apply to all emission units of VOM, including but not limited to reactors, distillation units, dryers, storage tanks for VOL, equipment for the transfer of VOL, filters, crystallizers, washers, laboratory hoods, pharmaceutical coating operations, mixing operations and centrifuges used in manufacturing, including packaging, of pharmaceuticals, and emitting more than 6.8 kg/day (15 lbs/day) and more than 2,268 kg/year (2.5 tons/year) of VOM. If such an emission unit emits less than 2,268 kg/year (2.5 tons/year) of VOM, the requirements of this Subpart still apply to the emission unit if VOM emissions from the emission unit exceed 45.4 kg/day (100 lbs/day).
- b) Notwithstanding subsection (a) of this Section, the air suspension coater/dryer, fluid bed dryers, tunnel dryers, and Accelacotas located in Libertyville Township, Lake County, Illinois shall be exempt from the rules of this Subpart, except for Sections 218.483 through 218.485, if emissions of VOM not vented to air pollution control equipment do not exceed the following levels:
- 1) For the air suspension coater/dryer: 2,268 kg/year (2.5 tons/year);
  - 2) For each fluid bed dryer: 4,535 kg/year (5.0 tons/year);
  - 3) For each tunnel dryer: 6,803 kg/year (7.5 tons/year); and
  - 4) For each Accelacota: 6,803 kg/year (7.5 tons/year).
- c) Sections 218.483 through 218.485 of this Part apply to a source having one or more emission units that:
- 1) Are used to manufacture pharmaceuticals, and
  - 2) Emit more than 6.8 kg/day (15 lbs/day) of VOM and more than 2,268 kg/year (2.5 tons/year) of VOM, or, if less than 2,268 kg/year (2.5 tons/year), these Sections still apply if emissions from one or more sources exceed 45.4 kg/day (100 lbs/day).
- d) No owner or operator shall violate any condition in a permit when the condition results in exclusion of an emission unit from this Subpart.
- e) Any pharmaceutical manufacturing source that becomes subject to the provisions of this Subpart at any time shall remain subject to the provisions of this Subpart at all times.
- f) Emissions subject to this Subpart shall be controlled at all times consistent with the requirements set forth in this Subpart.
- g) Any control device required pursuant to this Subpart shall be operated at all times when the source it is controlling is operated.
- h) Determinations of daily and annual emissions for purposes of this Section shall be made using both data on the hourly emission rate (or the emissions per unit of through put) and appropriate daily and annual data from records of emission unit operation (or material through put or material consumption data). In the absence of representative test data pursuant to Section 218.487 of this Part for the hourly emission rate (or the emissions per unit of through put),

## POLLUTION CONTROL BOARD

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such items shall be calculated using engineering calculations, including the methods described in Appendix B of "Control of Volatile Organic Emissions from Manufacturing of Synthesized Pharmaceutical Products" (EPA-450/2-78-029), incorporated by reference in Section 218.112 of this Part. (This subsection shall not affect the Agency's or the USEPA's authority to require emission tests to be performed pursuant to Section 218.487 of this Part.)

- 1) Equipment and operations emitting VOM at a source subject to subsection (a) or (c) of this Section and used to produce pharmaceutical products or a pharmaceutical-like product such as a hormone, enzyme, or antibiotic, shall be deemed to be engaged in the manufacture of pharmaceuticals for the purposes of this Subpart.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Organic Material Emission Standards and Limitations for the Metro East Area.

- 2) Code Citation: 35 Ill. Adm. Code 219

- 3) Section Numbers: Proposed Action:

219.405	Amended
219.406	New
219.407	New
219.408	New
219.409	New
219.410	New
219.411	New
219.412	New
219.480	Amended

- 4) Statutory Authority: [415 ILCS 5/27 and 28.5]

- 5) A Complete Description of the Subjects and Issues Involved:

A complete description of this Section 28.5 Fast-Track rulemaking is contained in the Board's November 3, 1994 opinion and order in docket R94-31, which is available from the Board at the address specified in question 11 below. This rulemaking proposes amendments to Subpart H of 35 Ill. Adm. Code 219 pursuant to the 15% Rate of Progress Plan submitted to USEPA November 15, 1993, as required by the Clean Air Act, as amended in 1990. The amendments to Subpart H, Printing and Publishing, propose VOM content limitations for fountain solutions used in specified lithographic printing, including: heatset web offset, non-heatset web offset, and sheet fed. This rule also specifies add-on control devices for heatset web offset lithographic printing.

- 6) Will this proposed rule(s) replace an emergency rule currently in effect?  
No

- 7) Does this rulemaking contain an automatic repeal date? No

If "yes," please specify the date: \_\_\_\_\_

- 8) Does this proposed rule(s) (amendment, repealer) contain incorporations by reference? Yes

- 9) Are there any other proposed amendments pending on this Part? Yes

<u>Section Number</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
219.204	Amended	18 Ill. Reg. 15274

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## NOTICE OF PROPOSED AMENDMENTS

219.205	Amended	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.207	Amended	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.208	Amended	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.210	Amended	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.212	New	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.213	New	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.214	New	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.431	New	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.432	New	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.433	New	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.434	New	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.435	New	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.436	New	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.686	Amended	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.720	New	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.722	New	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.726	New	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.727	New	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.728	New	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.729	New	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.730	New	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.920	Amended	October 14, 1994 18 Ill. Reg. 9272 June 24, 1994
219.926	Amended	October 14, 1994 18 Ill. Reg. 15274 October 14, 1994
219.940	Amended	October 14, 1994 18 Ill. Reg. 9272 June 24, 1994

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small businesses will be affected to a degree greater than allowed by federal law. Consequently, a Regulatory Flexibility Analysis is not applicable.

These proposed amendments do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: November 7, 1994
- B) Types of small businesses affected: Those that engage in the following types of lithographic printing that emit at any time 45.5 kg/day (100 lbs/day) of volatile organic materials: 1) heatset web offset; 2) non-heatset web offset; or 3) sheet fed.
- C) Reporting, bookkeeping or other procedures required for compliance: Recordkeeping is required to the extent necessary to demonstrate that a source is either not subject to the requirements of the proposal or to demonstrate that the source is meeting the requirements of the proposal. The recordkeeping and reporting requirements appear in Section 219.411.
- D) Types of professional skills necessary for compliance: None

- 219.946 Amended 18 Ill. Reg. 15274 October 14, 1994
- 219.960 Amended 18 Ill. Reg. 9272 June 24, 1994
- 219.966 Amended 18 Ill. Reg. 15274 October 14, 1994
- 219.980 Amended 18 Ill. Reg. 9272 June 24, 1994
- 219.986 Amended 18 Ill. Reg. 15274 October 14, 1994
- 219.Appendix G New 18 Ill. Reg. 15274 October 14, 1994
- 219.Appendix H New 18 Ill. Reg. 15274 October 14, 1994

The full text of the Proposed Amendments begins on the next page:

10) Statement of Statewide Policy Objectives:  
These proposed amendments do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Send written comments concerning R94-31 within 45 days of publication in the Illinois Register to:

Dorothy Gunn  
Clerk of the Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, IL 60601

and  
Sheila G. Kolbe  
Assistant Counsel  
Illinois Environmental Protection Agency  
Bureau of Air  
P.O. Box 19276  
Springfield, IL 62794-9276.

Questions concerning this rulemaking can be directed to Kevin Desharnais at the Pollution Control Board at (312) 814-6926 or to Sheila Kolbe at the Illinois Environmental Protection Agency at (217) 524-3333.

12) Initial Regulatory Flexibility Analysis:  
These proposed rules are mandated by the Clean Air Act and, therefore, no



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## TITLE 35: ENVIRONMENTAL PROTECTION

## SUBTITLE B: AIR POLLUTION

## CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: EMISSIONS STANDARDS AND LIMITATIONS  
FOR STATIONARY SOURCES

## PART 219

ORGANIC MATERIAL EMISSION STANDARDS AND LIMITATIONS  
FOR THE METRO EAST AREA

## SUBPART A: GENERAL PROVISIONS

Section	or
219.100	Introduction
219.101	Savings Clause
219.102	Abbreviations and Conversion Factors
219.103	Applicability
219.104	Definitions
219.105	Test Methods and Procedures
219.106	Compliance Dates
219.107	Operation of Afterburners
219.108	Exemptions, Variations, and Alternative Means of Control or Compliance Determinations
219.109	Vapor Pressure of Volatile Organic Liquids
219.110	Vapor Pressure of Organic Material or Solvents
219.111	Vapor Pressure of Volatile Organic Material
219.112	Incorporations by Reference
219.113	Monitoring for Negligibly-Reactive Compounds

## SUBPART B: ORGANIC EMISSIONS FROM STORAGE AND LOADING OPERATIONS

219.119	Applicability for VOL
219.120	Control Requirements for Storage Containers of VOL
219.121	Storage Containers of VPL
219.122	Loading Operations
219.123	Petroleum Liquid Storage Tanks
219.124	External Floating Roofs
219.125	Compliance Dates
219.126	Compliance Plan (Repealed)
219.127	Testing VOL Operations
219.128	Monitoring VOL Operations
219.129	Recordkeeping and Reporting for VOL Operations

## SUBPART C: ORGANIC EMISSIONS FROM MISCELLANEOUS EQUIPMENT

219.141	Separation Operations
219.142	Pumps and Compressors

219.143	Vapor Blowdown
219.144	Safety Relief Valves

## SUBPART E: SOLVENT CLEANING

Section	
219.181	Solvent Cleaning in General
219.182	Cold Cleaning
219.183	Open Top Vapor Degreasing
219.184	ConveyORIZED Degreasing
219.185	Compliance Schedule (Repealed)
219.186	Test Methods

## SUBPART F: COATING OPERATIONS

Section	
219.204	Emission Limitations
219.205	Daily-Weighted Average Limitations
219.206	Solids Basis Calculation
219.207	Alternative Emission Limitations
219.208	Exemptions from Emission Limitations
219.209	Exemption from General Rule on Use of Organic Material
219.210	Compliance Schedule
219.211	Recordkeeping and Reporting

## SUBPART G: USE OF ORGANIC MATERIAL

Section	
219.301	Use of Organic Material
219.302	Alternative Standard
219.303	Fuel Combustion Emission Units
219.304	Operations with Compliance Program

## SUBPART H: PRINTING AND PUBLISHING

Section	
219.401	Flexographic and Rotogravure Printing
219.402	Applicability
219.403	Compliance Schedule
219.404	Recordkeeping and Reporting
219.405	Heatset Web Offset Lithographic Printing: Applicability
219.406	Provisions Applying to Heatset Web Offset Lithographic Printing Prior to March 15, 1996

219.407	Emission Limitations and Control Requirements for Lithographic Printing Lines On and After March 15, 1996
219.408	Compliance Schedule for Lithographic Printing On and After March 15, 1996
219.409	Testing for Lithographic Printing On and After March 15, 1996
219.410	Monitoring Requirements for Lithographic Printing

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219.411 Recordkeeping and Reporting for Lithographic Printing  
 219.412 Recordkeeping and Reporting for Fountain and Cleaning Solution Stricter Limits

Section  
 219.480  
 219.481

SUBPART Q: LEAKS FROM SYNTHETIC ORGANIC CHEMICAL AND POLYMER MANUFACTURING PLANT

Section  
 219.421 General Requirements  
 219.422 Inspection Program Plan for Leaks  
 219.423 Inspection Program for Leaks  
 219.424 Repairing Leaks  
 219.425 Recordkeeping for Leaks  
 219.426 Report for Leaks  
 219.427 Alternative Program for Leaks  
 219.428 Open-ended Valves  
 219.429 Standards for Control Devices  
 219.430 Compliance Date (Repealed)

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## SUBPART V: AIR OXIDATION PROCESSES

Section  
 219.520 Emission Limitations for Air Oxidation Processes  
 219.521 Definitions (Repealed)  
 219.522 Savings Clause  
 219.523 Compliance  
 219.524 Determination of Applicability  
 219.525 Emission Limitations for Air Oxidation Processes (Renumbered)  
 219.526 Testing and Monitoring  
 219.527 Compliance Date (Repealed)

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## SUBPART W: AGRICULTURE

Section  
 219.541 Pesticide Exception

## SUBPART X: CONSTRUCTION

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 219.561 Architectural Coatings  
 219.562 Paving Operations  
 219.563 Cutback Asphalt

## SUBPART Y: GASOLINE DISTRIBUTION

Section  
 219.581 Bulk Gasoline Plants  
 219.582 Bulk Gasoline Terminals  
 219.583 Gasoline Dispensing Operations - Storage Tank Filling Operations  
 219.584 Gasoline Delivery Vessels  
 219.585 Gasoline Volatility Standards  
 219.586 Gasoline Dispensing Operations - Motor Vehicle Fueling Operations (Repealed)

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## SUBPART T: PHARMACEUTICAL MANUFACTURING

## SUBPART S: RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS

Section  
 219.461 Manufacture of Pneumatic Rubber Tires  
 219.462 Green Tire Spraying Operations  
 219.463 Alternative Emission Reduction Systems  
 219.464 Emission Testing  
 219.465 Compliance Dates (Repealed)  
 219.466 Compliance Plan (Repealed)

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## SUBPART Z: DRY CLEANERS

Section	Perchloroethylene Dry Cleaners
219.601	Exemptions
219.602	Leaks
219.603	Compliance Dates (Repealed)
219.604	Exception to Compliance Plan (Repealed)
219.605	Standards for Petroleum Solvent Dry Cleaners
219.606	Operating Practices for Petroleum Solvent Dry Cleaners
219.607	Program for Inspection and Repair of Leaks
219.608	Testing and Monitoring
219.609	Exemption for Petroleum Solvent Dry Cleaners
219.610	Compliance Dates (Repealed)
219.611	Compliance Plan (Repealed)
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## SUBPART AA: PAINT AND INK MANUFACTURING

Section	Applicability
219.620	Exemption for Waterbase Material and Heatset- Offset Ink
219.621	Permit Conditions
219.622	Open-Top Mills, Tanks, Vats or Vessels
219.623	Grinding Mills
219.624	Storage Tanks
219.625	Leaks
219.626	Clean Up
219.627	Compliance Schedule
219.628	Recordkeeping and Reporting
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## SUBPART BB: POLYSTYRENE PLANTS

Section	Applicability
219.640	Emissions Limitation at Polystyrene Plants
219.641	Emissions Testing
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## SUBPART GG: MARINE TERMINALS

Section	Applicability
219.760	Control Requirements
219.761	Compliance Certification
219.762	Leaks
219.763	Testing and Monitoring
219.764	Recordkeeping and Reporting
219.765	Applicability of Subpart BB (Renumbered)
219.766	Emissions Limitation at Polystyrene Plants (Renumbered)
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219.879	Compliance Date (Repealed)
219.881	Compliance Plan (Repealed)
219.883	Special Requirements for Compliance Plan (Repealed)
219.886	Emissions Testing (Renumbered)

## SUBPART PP: MISCELLANEOUS FABRICATED PRODUCT MANUFACTURING PROCESSES

Section	Applicability
219.920	Permit Conditions
219.921	Control Requirements
219.922	Compliance Schedule
219.923	Testing

## SUBPART QQ: MISCELLANEOUS FORMULATION MANUFACTURING PROCESSES

Section	Applicability
219.940	Permit Conditions
219.941	Control Requirements
219.942	Compliance Schedule
219.943	Testing

## SUBPART RR: MISCELLANEOUS ORGANIC CHEMICAL MANUFACTURING PROCESSES

Section	Applicability
219.960	Permit Conditions
219.961	Control Requirements
219.962	Compliance Schedule
219.963	Testing

## SUBPART TT: OTHER EMISSION UNITS

Section	Applicability
219.980	Permit Conditions
219.981	Control Requirements
219.982	Compliance Schedule
219.983	Testing

## SUBPART UU: RECORDKEEPING AND REPORTING

Section	Exempt Emission Units
219.990	Subject Emission Units
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APPENDIX A	List of Chemicals Defining Synthetic Organic Chemical and Polymer Manufacturing
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APPENDIX B VOM Measurement Techniques for Capture Efficiency  
 APPENDIX C Reference Test Methods For Air Oxidation Processes  
 APPENDIX D Coefficients for the Total Resource Effectiveness Index (TRE) Equation  
 APPENDIX E List of Affected Marine Terminals

AUTHORITY: Implementing Section 10 and authorized by Section 28.5 of the Environmental Protection Act [415 ILCS 5/10 and 28.5].

SOURCE: Adopted in R91-8 at 15 Ill. Reg. 12491, effective August 16, 1991; amended in R91-24 at 16 Ill. Reg. 13597, effective August 24, 1992; amended in R91-30 at 16 Ill. Reg. 13883, effective August 24, 1992; emergency amendment in R93-12 at 17 Ill. Reg. 8295, effective May 24, 1993, for a maximum of 150 days; amended in R93-9 at 17 Ill. Reg. 16918, effective September 27, 1993 and October 21, 1993; amended in R93-28 at 18 Ill. Reg. 4242, effective March 3, 1994; amended in R94-12 at 18 Ill. Reg. 14987, effective September 21, 1994; amended in R94-15 at 18 Ill. Reg. 16415, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16980, effective November 15, 1994; amended in R94-31 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

BOARD NOTE: This Part implements the Illinois Environmental Protection Act as of July 1, 1994.

NOTE: In this Part superscript numbers or letters are denoted by parentheses, subscript are denoted by brackets; and SUM means the summation series or sigma function as used in mathematics.

## SUBPART H: PRINTING AND PUBLISHING

Section 219.405 Heatset-Web-Offset Lithographic Printing: Applicabilitya) Applicability

1a) Until March 15, 1996, the limitations of subsection (b)-below Section 219.406 of this Subpart apply to all heatset-web-offset lithographic printing lines (including solvents used for cleanup operations associated with the heatset web offset lithographic printing line(s)) at a subject source subject to the requirements of this Subpart. All sources with heatset-web-offset lithographic printing lines are subject sources subject to the requirements of this Subpart unless:

- A1) Total maximum theoretical emissions of VOM from all heatset-web-offset lithographic printing lines (including solvents used for cleanup operations associated with the heatset-web-offset lithographic printing line(s)) at the source never exceed 90.7 Mg (100 tons) per calendar year in the absence of air pollution control equipment, or
- B2) A federally enforceable permit or SIP revision for all heatset-web-offset lithographic printing line(s) at a source requires the owner or operator to limit production or capacity of

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these printing line(s) to reduce total VOM emissions from all heatset-web-offset lithographic printing line(s) to 90.7 Mg (100 tons) per calendar year or less in the absence of air pollution control equipment, and

- 2b) Any owner or operator of any heatset-web-offset lithographic printing line that is exempt from the limitations in subsection (b)-of this Section 219.406 of this Subpart because of the criteria in subsection (a)†† of this Section shall be subject to the recordkeeping and reporting requirements in subsection (c)††-of this Section 219.406(b)(1) of this Subpart.
- b) Specific Provisions:--No--owner--or--operator--of--a--subject heatset-web-offset--printing--line--may--cause--or--allow--the--operation--of--the--subject--heatset-web--offset--printing--line--unless--the--owner--or--operator--meets--the--requirements--in--subsection--(b)††--or--(b)†2--and--the--requirements--in--subsections--(b)†3--and--(b)†4--below.
- 1) An afterburner system is installed and operated that reduces 99 percent of the VOM emissions from the dryer exhaust or
- 2) The fountain solution contains no more than 8 percent by weight of VOM and a condensation recovery system is installed and operated that removes at least 75 percent of the non-isopropyl alcohol organic materials from the dryer exhaust and
- 3) The control device is equipped with the applicable monitoring equipment specified in Section 219.405(d)†† of this Part and the monitoring equipment is installed, calibrated, operated and maintained according to vendor specifications at all times the control device is in user and
- 4) The control device is operated at all times when the subject printing line is in operation--the owner or operator shall demonstrate compliance with this Section by using the applicable test methods and procedures specified in Section 219.405(f)††-†† and (f)†† of this Part and by complying with the recordkeeping and reporting requirements specified in subsection (c)†† below.
- c) Recordkeeping--and--Reporting:--the--VOM--content--of--each--fountain solution--and--ink--and--the--efficiency--of--each--control--device--shall--be determined--by--the--applicable--test--methods--and--procedures--specified--in--Section--219.405--of--this--Part--to--establish--the--records--required--under--this--subsection.
- 1) Any owner or operator of a printing line which is exempted from the limitations of subsection (b)†† of this Section because of the criteria in subsection (a)†† of this Section shall comply with the following:
- A) By a date consistent with Section 219.406 of this Part--the owner or operator of a heatset-web-offset lithographic printing line to which subsection (c)†† of this Section is applicable shall certify to the Agency that the facility is heatset-web-offset lithographic printing line exempt under the provisions of subsection (a)†† of this Section--Such certification shall include
- 1) A declaration that the heatset web offset lithographic



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Printing--line--is--exempt--from--the--limitations--of  
subsection (a) of this Section because of the criteria  
in subsection (a) of this Section and  
Calculations--which--demonstrate--that--total--maximum  
theoretical--emissions--of--VOM--from--all  
heatset--web--offset--lithographic--printing--lines--at--the  
source--never--exceed--90.7-Mg--(100-tons)--per--calendar  
year--before--the--application--of--air--pollution--control  
equipment--Total--maximum--theoretical--emissions--of--VOM  
for--a--heatset--web--offset--lithographic--printing--source  
is--the--sum--of--maximum--theoretical--emissions--of--VOM  
from--each--heatset--web--offset--lithographic--printing  
line--at--the--facility--The--following--equation--shall--be  
used--to--calculate--total--maximum--theoretical--emissions  
of--VOM--per--calendar--year--in--the--absence--of--air  
pollution--control--equipment--for--each  
heatset--web--offset--lithographic--printing--line--at--the  
source:

$$E(t) = (A \times B) \times (C \times D) \times 10^5 \quad (P \times Q \times R \times H)$$

where:

- E(t) Total--maximum--theoretical--emissions--of--VOM--from--one  
heatset--web--offset--printing--line--in--units--of--kg/year  
(lbs/year)
- A Weight--of--VOM--per--volume--of--solids--of--ink--with--the  
highest--VOM--content--as--applied--each--year--on--the  
printing--line--in--units--of--kg--VOM/l--(lbs--VOM/gal)--of  
solids
- B Total--volume--of--solids--for--all--inks--that--can  
potentially--be--applied--each--year--on--the--printing  
line--in--units--of--l/year--(gal/year)--The--factor--measured--or--calculated--the--volume--of--each--ink--as  
applied--and--the--amount--that--can--potentially--be  
applied--each--year--on--the--printing--line--shall--be  
described--in--the--certification--to--the--Agency
- C The--weight--percent--VOM--of--the--fountain--solution--with  
the--highest--VOM--content
- D The--total--volume--of--fountain--solution--that--can  
potentially--be--used--each--year--on--the--printing--line--in  
units--of--l/year--(gal/year)--The--factor--measured--or--calculated--the--volume--of--each--fountain  
solution--used--and--the--amount--that--can--potentially--be  
used--each--year--on--the--printing--line--shall--be  
described--in--the--certification--to--the--Agency

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- P Weight--of--VOM--per--volume--of--material--for--the--cleanup  
material--or--solvent--with--the--highest--VOM--content--as  
used--each--year--on--the--printing--line--in--units--of--kg/l  
(lbs--VOM/gal)--of--such--material
- S The--greatest--volume--of--cleanup--material--or--solvent  
used--in--any--8-hour--period
- H The--highest--fraction--of--cleanup--material--or--solvent  
which--is--not--recycled--or--recovered--for--offsite  
disposal--during--any--8-hour--period
- B) On--and--after--a--date--consistent--with--Section--29-106--of--this  
Part--the--owner--or--operator--of--a--heatset--web--offset  
lithographic--printing--line--to--which--subsection (f) of  
this--Section--is--applicable--shall--collect--and--record--all--of  
the--following--information--each--year--for--each--printing--line  
and--maintain--the--information--at--the--source--for--a--period--of  
three--years:

- i) The--name--and--identification--of--each--fountain--solution  
and--ink--as--applied--on--each--printing--line
- ii) The--VOM--content--and--the--volume--of--each--fountain  
solution--and--ink--as--applied--each--year--on--each--printing  
line
- e) On--and--after--a--date--consistent--with--Section--29-106--of--this  
Part--the--owner--or--operator--of--a--heatset--web--offset  
lithographic--printing--line--exempt--from--the--limitations--of  
subsection (f) of this Section because of the criteria in  
subsection (a) of this Section shall notify the Agency if  
any--record--showing--that--total--maximum--theoretical--emissions  
of--VOM--from--all--printing--lines--exceed--90.7-Mg--(100-tons)--in  
any--calendar--year--in--the--absence--of--air--pollution--control  
equipment--by--sending--a--copy--of--such--record--to--the--Agency  
within--30--days--after--the--exceedance--occurs
- 2) Any--owner--or--operator--of--a--printing--line--subject--to--the  
limitations--of--subsection (f) of this Section and complying by  
means--of--subsection (b) of this Section shall comply with the  
following:
  - A) By--a--date--consistent--with--Section--29-106--of--this--Part--or  
upon--initial--start-up--of--a--new--printing--line--or--upon  
changing--the--method--of--operation--for--an--existing--printing  
line--from--subsection (b) 2--to--a--subsequent--b) 1--of--this  
Section--the--owner--or--operator--of--a--heatset--web--offset--lithographic  
printing--line--shall--test--and--submit--to--the--Agency--the--results  
of--its--tests--and--calculations--necessary--to--demonstrate--that  
the--subsequent--printing--line--will--be--in--compliance--with  
subsection (b) 1 of this Section on--and--after--a--date--  
consistent--with--Section--29-106--of--this--Part--on--and  
after--the--initial--start-up--date
  - B) On--and--after--a--date--consistent--with--Section--29-106--of--this  
Part--on--and--after--the--initial--start-up--date--the--owner  
or--operator--of--a--printing--line--shall--submit--to--the--Agency

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subsection (b) of this Section and complying by means of subsection (b)(1) of this Section shall collect and record the following information each day for each printing line and maintain the information at the source for a period of three years:

- 1) Control device monitoring data;
- 2) A log of operating time for the control device;
- 3) Monitoring equipment and the associated printing line;
- 4) A maintenance log for the control device and monitoring equipment detailing all routine and nonroutine maintenance performed including dates and duration of any outages;
- 5) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a subject printing line shall notify the Agency in the following instances:

1) Any record showing violation of subsection (b)(1) of this Section shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation;

2) At least 30 calendar days before changing the method of compliance with subsection (b) of this Section from subsection (b)(1) to (b)(2) of this Section, the owner or operator shall comply with all requirements of subsection (c)(3)(A) of this Section. Upon changing the method of compliance with subsection (b) from subsection (b)(1) to (b)(2) of this Section, the owner or operator shall comply with all requirements of subsection (c)(3) of this Section;

3) Any owner or operator of a printing line subject to the limitations of subsection (b) of this Section and complying by means of subsection (b)(2) of this Section shall comply with the following:

A) By a date consistent with Section 219.106 of this Part or upon initial start-up of a new printing line or upon changing the method of compliance for an existing printing line from subsection (b)(1) to (b)(2) of this Section, the owner or operator of the subject printing line shall perform all tests and submit to the Agency and the USPA the results of all tests and calculations necessary to demonstrate that the subject printing line will be in compliance with subsection (b)(2) of this Section on and after a date consistent with Section 219.106 of this Part or on and after the initial start-up date.

B) On and after a date consistent with Section 219.106 of this Part or on and after the initial start-up date, the owner or operator of a printing line subject to the limitations of subsection (b)(2) of this Section and complying by means of subsection (b)(2) of this Section shall collect and record the following information each day for each printing line

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and maintain the information at the source for a period of three years:

- 1) The VOM content of the fountain solution used each day on each printing line;
- 2) A log of operating time for the control device and the associated printing line;
- 3) A maintenance log for the control device detailing all routine and nonroutine maintenance performed including dates and duration of any outages;
- 4) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a subject printing line shall notify the Agency in the following instances:

1) Any record showing violation of subsection (b)(2) of this Section shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation;

2) At least 30 calendar days before changing the method of compliance with subsection (b) of this Section from subsection (b)(2) to (b)(1) of this Section, the owner or operator shall comply with all requirements of subsection (c)(2)(A) of this Section. Upon changing the method of compliance with subsection (b) from subsection (b)(2) to (b)(1) of this Section, the owner or operator shall comply with all requirements of subsection (c)(2) of this Section;

3) Compliance Schedule: Every owner or operator of a heatset web offset lithographic printing line shall comply with the applicable requirements of subsection (b) and (c) of this Section in accordance with the applicable compliance schedule specified in subsection (d)(1) to (d)(3) or (d)(3) below:

1) No owner or operator of a heatset web offset lithographic printing line which is exempt from the limitations of subsection (b) of this Section because of the criteria in subsection (a) of this Section shall operate said printing line on or after a date consistent with Section 219.106 of this Part unless the owner or operator has complied with and continues to comply with subsection (d)(1) of this Section;

2) No owner or operator of a heatset web offset lithographic printing line complying by means of subsection (b)(1) of this Section shall operate said printing line on or after a date consistent with Section 219.106 of this Part unless the owner or operator has complied with and continues to comply with subsection (b)(1) to (b)(3) and (e)(1) of this Section;

3) No owner or operator of a heatset web offset lithographic printing line complying by means of subsection (b)(2) of this Section shall operate said printing line on or after a date consistent with Section 219.106 of this Part unless the owner or operator has complied with and continues to comply with subsection (b)(2) to (b)(3) and (e)(2) of this Section;



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c) On and after March 15, 1996, every owner or operator of lithographic printing line(s) is subject to the recordkeeping and reporting requirements in Section 219.411, and, if applicable, Section 219.412 of this Subpart.

d) On and after March 15, 1996, Sections 219.407 through 219.412 of this Subpart shall apply to:

1) All owners or operators of heatset web offset lithographic printing line(s) unless:

A) Total maximum theoretical emissions of VOM from all heatset web offset lithographic printing lines (including solvents used for cleanup operations associated with heatset web offset printing lines) at the source never exceed 90.7 Mg (100 tons) per calendar year before the application of capture systems and control devices. To determine a source's total maximum theoretical emissions of VOM for the purposes of this subsection, the owner or operator shall use the calculations set forth in Section 219.406(b)(1)(A)(ii) of this Subpart; or

B) Federally enforceable permit conditions or SIP revision for all heatset web offset lithographic printing line(s) at the source requires the owner or operator to limit production or capacity of these printing line(s) to total VOM emissions of 90.7 Mg/yr (100 tpy) or less, before the application of capture systems and control devices;

2) All owners or operators of heatset web offset, non-heatset web offset, or sheet-fed offset lithographic printing line(s), unless the combined actual emissions of VOM from all lithographic printing line(s) at the source (including solvents used for cleanup operations associated with the lithographic printing line(s)) never exceed 45.5 Kg/day (100 lbs/day), as determined in accordance with Section 219.411(a)(1)(B), before the application of capture systems and control devices.

e) If a lithographic printing line at a source is or becomes subject to one or more of the limitations in Sections 219.406 or 219.407 of this Subpart, the lithographic printing line(s) at the source are always subject to the applicable provisions of this Subpart.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 219.406 Provisions Applying to Heatset Web Offset Lithographic Printing Prior to March 15, 1996

a) Emission Standards and Limitations. No owner or operator of a heatset web offset printing line at a source that meets or exceeds the applicability levels in Section 219.405(a) of this Subpart may cause or allow the operation of such heatset web offset printing line(s) unless the owner or operator meets the requirements in subsections (a)(1) or (a)(2) of this Section and the requirements in subsections

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(a)(3) and (a)(4) of this Section. The owner or operator shall demonstrate compliance with this Section by using the applicable test methods and procedures specified in Section 219.105(a), (d), and (f) of this Part and by complying with the recordkeeping and reporting requirements specified in subsection (b) of this Section.

- 1) An afterburner system is installed and operated that reduces 90 percent of the VOM emissions from the dryer exhaust; or
- 2) The fountain solution contains no more than 8 percent, by weight, of VOM and a condensation recovery system is installed and operated that removes at least 75 percent of the non-isopropyl alcohol organic materials from the dryer exhaust; and
- 3) The control device is equipped with the applicable monitoring equipment specified in Section 219.105(d)(2) of this Part and the monitoring equipment is installed, calibrated, operated and maintained according to manufacturer's specifications at all times when the control device is in use; and
- 4) The control device is operated at all times when the printing line is in operation.

b) Recordkeeping and Reporting. The VOM content of each fountain solution and ink and the efficiency of each control device shall be determined by the applicable test methods and procedures specified in Section 219.105 of this Part to establish the records required under this subsection.

1) Any owner or operator of a lithographic printing line which is exempted from the limitations of subsection (a) of this Section because of the criteria in 219.405(a) of this Subpart shall comply with the following:

A) By a date consistent with Section 219.106 of this Part, the owner or operator of a heatset web offset lithographic printing line to which subsection (b)(1) of this Section is applicable shall certify to the Agency that the heatset web offset lithographic printing line is exempt under the provisions of Section 219.405(a) of this Subpart. Such certification shall include:

i) A declaration that the heatset web offset lithographic printing line is exempt from the limitations of the criteria in Section 219.405(a) of this Subpart; and

ii) Calculations which demonstrate that total maximum theoretical emissions of VOM from all heatset web offset lithographic printing lines at the source never exceed 90.7 Mg (100 tons) per calendar year before the application of air pollution control equipment. Total maximum theoretical emissions of VOM for a heatset web offset lithographic printing source is the sum of maximum theoretical emissions of VOM from each heatset web offset lithographic printing line at the source. The following equation shall be used to calculate total maximum theoretical emissions of VOM per

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calendar year in the absence of air pollution control equipment for each heatset web offset lithographic printing line at the source:

$$E[p] = \frac{(A \times B) + (C \times D) + 1095 (F \times G \times H)}{100}$$

where:

$E[p]$  = Total maximum theoretical emissions of VOM from one heatset web offset printing line in units of kg/yr (lbs/yr);

$A$  = Weight of VOM per volume of solids of ink with the highest VOM content as applied each year on the printing line in units of kg VOM/l (lbs VOM/gal) of solids;

$B$  = Total volume of solids for all inks that can potentially be applied each year on the printing line in units of l/year (gal/yr). The instrument or method by which the owner or operator accurately measured or calculated the volume of each ink as applied and the amount that can potentially be applied each year on the printing line shall be described in the certification to the Agency;

$C$  = The weight percent VOM of the fountain solution with the highest VOM content;

$D$  = The total volume of fountain solution that can potentially be used each year on the printing line in units of l/yr (gal/yr). The instrument and/or method by which the owner or operator accurately measured or calculated the volume of each fountain solution used and the amount that can potentially be used each year on the printing line shall be described in the certification to the Agency;

$E$  = Weight of VOM per volume of material for the cleanup material or solvent with the highest VOM content as used each year on the printing line in units of Kg/l (lbs VOM/gal) of such material;

$G$  = The greatest volume of cleanup material or solvent used in any 8-hour period; and

$H$  = The highest fraction of cleanup material or solvent which is not recycled or recovered for offsite disposal during any 8-hour period.

B) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a heatset web offset lithographic printing line to which subsection (b)(1) of this Section is applicable shall collect and record all of the following information each year for each printing line:

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and maintain the information at the source for a period of three years:

- i) The name and identification of each fountain solution and ink as applied on each printing line; and
- ii) The VOM content and the volume of each fountain solution and ink as applied each year on each printing line.

C) On and after a date consistent with Section 219.106 of this Part, the owner or operator of a source exempted from the limitations of subsection (a) of this Section because of the criteria in Section 219.405(a) of this Subpart shall notify the Agency of any record showing that total maximum theoretical emissions of VOM from all heatset web offset printing lines exceed 90.7 Mg (100 tons) in any calendar year in the absence of air pollution control equipment by sending a copy of such record to the Agency within 30 days after the exceedance occurs.

2) Any owner or operator of a printing line subject to the limitations of subsection (a) of this Section and complying by means of subsection (a)(1) of this Section shall comply with the following:

A) By a date consistent with Section 219.106 of this Part, or upon initial start-up of a new printing line, or upon changing the method of compliance for an existing printing line from subsection (a)(2) to subsection (a)(1) of this Section, perform all tests and submit to the Agency the results of all tests and calculations necessary to demonstrate that the subject printing line will be in compliance with subsection (a)(1) of this Section on and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date;

B) On and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date, collect and record the following information each day for each printing line and maintain the information at the source for a period of three years:

- i) Control device monitoring data;
- ii) A log of operating time for the control device, monitoring equipment and the associated printing line; and
- iii) A maintenance log for the control device and monitoring equipment detailing all routine and nonroutine maintenance performed including dates and duration of any outages;

C) On and after a date consistent with Section 219.106 of this Part, notify the Agency in the following instances:

- i) Any violation of subsection (a)(1) of this Section shall be reported to the Agency, in writing, within 30 days following the occurrence of the violation;



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ii) Any record showing a violation of subsection (a)(1) of this Section shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation; and

iii) At least 30 calendar days before changing the method of compliance with subsection (a) of this Section from subsection (a)(1) to (a)(2) of this Section, the owner or operator shall comply with all requirements of subsection (b)(3)(A) of this Section. Upon changing the method of compliance with subsection (a) of this Section from subsection (a)(1) to subsection (a)(2) of this Section, the owner or operator shall comply with all requirements of subsection (b)(3) of this Section.

3) Any owner or operator of a printing line subject to the limitations of subsection (a) of this Section and complying by means of subsection (a)(2) of this Section shall:

A) By a date consistent with Section 219.106 of this Part, or upon initial start-up of a new printing line, or upon changing the method of compliance for an existing printing line from subsection (a)(1) to subsection (a)(2) of this Section, perform all tests and submit to the Agency and the USEPA the results of all tests and calculations necessary to demonstrate that the subject printing line will be in compliance with subsection (a)(2) of this Section on and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date;

B) On and after a date consistent with Section 219.106 of this Part, or on and after the initial start-up date, collect and record the following information each day for each printing line and maintain the information at the source for a period of three years:

i) The VOM content of the fountain solution used each day on each printing line;

ii) A log of operating time for the control device and the associated printing line; and

iii) A maintenance log for the control device detailing all routine and non-routine maintenance performed including dates and duration of any outages;

C) On and after a date consistent with Section 219.106 of this Part, notify the Agency in the following instances:

i) Any violation of subsection (a)(2) shall be reported to the Agency, in writing, within 30 days following the occurrence of the violation;

ii) Any record showing a violation of subsection (a)(2) of this Section shall be reported by sending a copy of such record to the Agency within 30 days following the occurrence of the violation; and

iii) At least 30 calendar days before changing the method of compliance with subsection (a) of this Section from

subsection (a)(2) to subsection (a)(1) of this Section, the owner or operator shall comply with all requirements of subsection (b)(2)(A) of this Section. Upon changing the method of compliance with subsection (a) of this Section from subsection (a)(2) to subsection (a)(1) of this Section, the owner or operator shall comply with all requirements of subsection (b)(2) of this Section.

c) Compliance Schedule. Every owner or operator of a heatset web offset lithographic printing line shall comply with the applicable requirements of subsections (a) and (b) of this Section in accordance with the applicable compliance schedule specified in subsections (c)(1), (c)(2), or (c)(3) of this Section:

1) No owner or operator of a heatset web offset lithographic printing line which is exempt from the limitations of subsection (a) of this Section because of the criteria in Section 219.405(a) of this Subpart shall operate said printing line on or after a date consistent with Section 219.106 of this Part, unless the owner or operator has complied with, and continues to comply with, Sections 219.405(a) and 219.406(b)(1) of this Subpart.

2) No owner or operator of a heatset web offset lithographic printing line complying by means of subsection (a)(1) of this Section shall operate said printing line on or after a date consistent with Section 219.106 of this Part, unless the owner or operator has complied with, and continues to comply with, subsections (a)(1), (a)(3), (a)(4) and (b)(2) of this Section.

3) No owner or operator of a heatset web offset lithographic printing line complying by means of subsection (a)(2) of this Section shall operate said printing line on or after a date consistent with Section 219.106 of this Part, unless the owner or operator has complied with, and continues to comply with, subsections (a)(2), (a)(3), (a)(4) and (b)(3) of this Section.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

# Section 219.407 Emission Limitations and Control Requirements for Lithographic Printing Lines On and After March 15, 1996

a) On and after March 15, 1996, no owner or operator of lithographic printing line(s) subject to the requirements of this Subpart shall:

1) Cause or allow the operation of any heatset web offset lithographic printing line unless:

A) The total VOM content in the as-applied fountain solution meets one of the following conditions:

i) 1.6 percent or less, by volume;

ii) 3 percent or less, by volume, and the temperature of the fountain solution is maintained below 15.6 C (60 F), measured at the reservoir or the fountain tray; or



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- iii) 5 percent or less, by volume, and the as-applied fountain solution contains no alcohol;
- B) The air pressure in the dryer is maintained lower than the air pressure of the press room, such that air flow through all openings in the dryer, other than the exhaust, is into the dryer at all times when the printing line is operating;
- C) An afterburner is installed and operated so that VOM emissions from the press dryer exhaust(s) are reduced by 90 percent, by weight, or to a maximum afterburner exhaust outlet concentration of 20 ppmv (as carbon);
- D) The afterburner is equipped with the applicable monitoring equipment specified in Section 219.105(d)(2) of this Part and the monitoring equipment is installed, calibrated, operated, and maintained according to manufacturer's specifications at all times when the afterburner is in use; and
- E) The afterburner is operated at all times when the printing line is in operation;
- 2) Cause or allow the operation of any non-heatset web offset lithographic printing line unless the VOM content of the as-applied fountain solution is 5 percent or less, by volume, and the as-applied fountain solution contains no alcohol;
- 3) Cause or allow the operation of any sheet-fed offset lithographic printing line unless:
- The VOM content of the as-applied fountain solution is 5 percent or less, by volume; or
  - The VOM content of the as-applied fountain solution is 8.5 percent or less, by volume, and the temperature of the fountain solution is maintained below 15.6°C (60°F), measured at the reservoir or the fountain tray;
- 4) Cause or allow the use of a cleaning solution on any lithographic printing line unless:
- The VOM content of the as-used cleaning solution is less than or equal to 30 percent, by weight; or
  - The VOM composite partial vapor pressure of the as-used cleaning solution is less than 10 mmHg at 20°C (68°F);
- 5) Cause or allow VOM containing cleaning materials, including used cleaning towels, associated with any lithographic printing line to be kept, stored or disposed of in any manner other than in closed containers.
- b) An owner or operator of a heatset web offset lithographic printing line subject to the requirements of Section 219.407(a)(1)(C) of this Subpart may use a control device other than an afterburner, if:
- The control device reduces VOM emissions from the press dryer exhaust(s) by at least 90 percent, by weight, or to a maximum control device exhaust outlet concentration of 20 ppmv (as carbon);
  - The owner or operator submits a plan to the Agency detailing appropriate monitoring devices, test methods, recordkeeping

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requirements, and operating parameters for the control device; and

3) The use of the control device with testing, monitoring, and recordkeeping in accordance with this plan is approved by the Agency and USEPA as federally enforceable permit conditions.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 219.408 Compliance Schedule for Lithographic Printing On and After March 15, 1996

- Every owner or operator of a lithographic printing line subject to one or more of the control requirements of Section 219.407 of this Subpart shall comply with the applicable requirements of Sections 219.407 through 219.411, and, if applicable, 219.412 of this Subpart on and after March 15, 1996, or upon initial start-up, whichever is later.
- No owner or operator of a lithographic printing line which is exempt from the limitations of Section 219.407 of this Subpart because of the criteria in Section 219.405(d) of this Subpart, shall operate said printing line on or after March 15, 1996, unless the owner or operator has complied with, and continues to comply with, Sections 219.405(d) and 219.411(a) of this Subpart.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 219.409 Testing for Lithographic Printing On and After March 15, 1996

- Testing to demonstrate compliance with the requirements of Section 219.407 of this Subpart shall be conducted by the owner or operator upon request of the Agency. Such testing shall be conducted at the expense of the owner or operator and the owner or operator shall notify the Agency in writing 30 days in advance of conducting such testing to allow the Agency to be present during such testing.
- The methods and procedures of Section 219.105(d) and (f) shall be used for testing to demonstrate compliance with the requirements of Section 219.407(a)(1)(C) or (b)(1) of this Subpart, as follows:
  - To select the sampling sites, Method 1 or 1A, as appropriate, 40 CFR 60, Appendix A, incorporated by reference at Section 219.112 of this Part. The sampling sites for determining efficiency in reducing VOM from the dryer exhaust shall be located between the dryer exhaust and the control device inlet, and between the outlet of the control device and the exhaust to the atmosphere.
  - To determine the volumetric flow rate of the exhaust stream, Method 2, 2A, 2C, or 2D, as appropriate, 40 CFR 60, Appendix A, incorporated by reference at Section 219.112 of this Part.
  - To determine the VOM concentration of the exhaust stream entering and exiting the control device, Method 25 or 25A, as appropriate,

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40 CFR 60, Appendix A, incorporated by reference at Section 219.112 of this Part. For thermal and catalytic afterburners, Method 25 must be used except under the following circumstances, in which case Method 25A must be used:

- A) The allowable outlet concentration of VOM from the control device is less than 50 ppmv, as carbon;
- B) The VOM concentration at the inlet of the control device and the required level of control result in exhaust concentrations of VOM of 50 ppmv, or less, as carbon; and
- C) Due to the high efficiency of the control device, the anticipated VOM concentration at the control device exhaust is 50 ppmv or less, as carbon, regardless of inlet concentration. If the source elects to use Method 25A under this option, the exhaust VOM concentration must be 50 ppmv or less, as carbon, and the required destruction efficiency must be met for the source to have demonstrated compliance. If the Method 25A test results show that the required destruction efficiency apparently has been met, but the exhaust concentration is above 50 ppmv, as carbon, Method 25 must instead be used;

4) Notwithstanding the criteria or requirements in Method 25 which specifies a minimum probe temperature of 129°C (265°F), the probe must be heated to at least the gas stream temperature of the dryer exhaust, typically close to 176.7°C (350°F);

5) During testing, the printing line(s) shall be operated at representative operating conditions and flow rates; and

6) During testing, an air flow direction indicating device shall be used to demonstrate 100 percent emissions capture efficiency for the dryer in accordance with Section 219.407(a)(1)(B) of this Subpart.

c) Testing to demonstrate compliance with the VOM content limitations in Section 219.407(a)(1)(A), (a)(2), (a)(3) and (a)(4)(A) of this Subpart, and to determine the VOM content of fountain solutions, fountain solution additives, cleaning solvents, cleaning solutions, and inks (pursuant to the requirements of Section 219.411(a)(1)(B) of this Subpart), shall be conducted upon request of the Agency, as follows:

1) The applicable test methods and procedures specified in Section 219.105(a) of this Part shall be used; provided, however, Method 24, incorporated by reference at Section 219.112 of this Part, shall be used to demonstrate compliance; or

2) The manufacturer's specifications for VOM content for fountain solution additives, cleaning solvents, and inks may be used if such manufacturer's specifications are based on results of tests of the VOM content conducted in accordance with methods specified in Section 219.105(a) of this Part; provided, however, Method 24 shall be used to determine compliance.

d) Testing to demonstrate compliance with the requirements of Section 219.407(b) of this Subpart shall be conducted as set forth in the

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owner or operator's plan approved by the Agency and USEPA as federally enforceable permit conditions pursuant to Section 219.407(b) of this Subpart.

- e) Testing to determine the composite partial vapor pressure of cleaning solvents, cleaning solvent concentrates, and as-used cleaning solutions shall be conducted in accordance with the applicable methods and procedures specified in Section 219.110 of this Part.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Sections 219.410 Monitoring Requirements for Lithographic Printing

a) Fountain Solution Temperature

- 1) The owner or operator of any lithographic printing line(s) relying on the temperature of the fountain solution to demonstrate compliance shall install, maintain, and continuously operate a temperature monitor of the fountain solution in the reservoir or fountain tray, as applicable.

2) The temperature monitor must be capable of reading with an accuracy of 0.3°C or 0.5°F, and must be attached to an automatic, continuous recording device such as a strip chart, recorder, or computer, with at least the same accuracy, that is installed, calibrated and maintained in accordance with the manufacturer's specifications.

b) Fountain Solution VOM Content

- 1) The owner or operator of any lithographic printing line(s) subject to Section 219.407(a)(1)(A), (a)(2) or (a)(3) of this Subpart shall:

A) For a fountain solution to which VOM is not added automatically, take a sample of the as-applied fountain solution from the fountain tray or reservoir, as applicable, each time a fresh batch of fountain solution is prepared or each time VOM is added to an existing batch of fountain solution in the fountain tray or reservoir, and shall determine compliance with the VOM content limitation of the as-applied fountain solution by using one of the following options:

- 1) With a refractometer or hydrometer with a visual, analog, or digital readout and with an accuracy of 0.5 percent. The refractometer or hydrometer must be calibrated with a standard solution for the type of VOM used in the fountain solution, in accordance with manufacturer's specifications, against measurements performed to determine compliance. The refractometer or hydrometer must be corrected for temperature at least once per 8-hour shift or once per batch of fountain solution prepared or modified, whichever is longer; or



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ii) With a conductivity meter if it is demonstrated that a refractometer and hydrometer cannot distinguish between compliant and noncompliant fountain solution for the type and amount of VOM in the fountain solution. A source may use a conductivity meter if it demonstrates that both hydrometers and refractometers fail to provide significantly different measurements for standard solutions containing 95 percent, 100 percent and 105 percent of the applicable VOM content limit. The conductivity meter reading for the fountain solution must be referenced to the conductivity of the incoming water. A standard solution shall be used to calibrate the conductivity meter for the type of VOM used in the fountain solution, in accordance with manufacturer's specifications;

B) For fountain solutions to which VOM is added at the source with automatic feed equipment, determine the VOM content of the as-applied fountain solution based on the setting of the automatic feed equipment which makes additions of VOM up to a pre-set level. The equipment used to make automatic additions must be installed, calibrated, operated and maintained in accordance with manufacturer's specifications.

2) The owner or operator of lithographic printing line(s) subject to Section 219.407(a)(1)(A), (a)(2) or (a)(3) of this Subpart may elect an alternative means of demonstrating compliance with the VOM content limit (e.g., an equivalent alternative recordkeeping system) that allows determination of compliance with at least equal frequency and reliability, if approved by the Agency and USEPA as federally enforceable permit conditions.

c) Afterburners For Heatset Web Offset Lithographic Printing Line(s)  
If an afterburner is used to demonstrate compliance, the owner or operator of a heatset web offset lithographic printing line subject to Section 219.407(a)(1)(C) of this Subpart shall:

1) Install, calibrate, maintain, and operate temperature monitoring device(s) with an accuracy of 3°C or 5°F on the afterburner in accordance with Section 219.105(d)(2) of this Part and in accordance with the manufacturer's specifications. Monitoring shall be performed at all times when the afterburner is operating; and

2) Install, calibrate, operate and maintain, in accordance with manufacturer's specifications, a continuous recorder on the temperature monitoring device(s), such as a strip chart, recorder or computer, with at least the same accuracy as the temperature monitor.

d) Other Control Devices for Heatset Web Offset Lithographic Printing Line(s)  
If a control device other than an afterburner is used to demonstrate compliance, the owner or operator of a heatset web offset lithographic

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printing line subject to this Subpart shall install, maintain, calibrate and operate such monitoring equipment as set forth in the owner or operator's plan approved by the Agency and USEPA pursuant to Section 219.407(b) of this Subpart.

e) Cleaning Solution

1) The owner or operator of any lithographic printing line relying on the VOM content of the cleaning solution to comply with Section 219.407(a)(4)(A) of this Subpart must:

A) For cleaning solutions that are prepared at the source with equipment that automatically mixes cleaning solvent and water (or other non-VOM):

i) Install, operate, maintain, and calibrate the automatic feed equipment in accordance with manufacturer's specifications to regulate the volume of each of the cleaning solvent and water (or other non-VOM), as mixed; and

ii) Pre-set the automatic feed equipment so that the consumption rates of the cleaning solvent and water (or other non-VOM), as applied, comply with Section 219.407(a)(4)(A) of this Subpart;

B) For cleaning solutions that are not prepared at the source with automatic feed equipment, keep records of the usage of cleaning solvent and water (or other non-VOM) as set forth in Section 219.411(d)(2), or, if applicable, 219.412(d)(2) of this Subpart.

2) The owner or operator of any lithographic printing line relying on the vapor pressure of the cleaning solution to comply with Section 219.407(a)(4)(B) of this Subpart must keep records for such cleaning solutions used on any such line(s) as set forth in Section 219.411(d)(2)(C), or, if applicable, Section 219.412(d)(2) of this Subpart.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 219.411 Recordkeeping and Reporting for Lithographic Printing

a) An owner or operator of lithographic printing line(s) exempt from the limitations of Section 219.407 of this Subpart because of the criteria in Section 219.405(d) of this Subpart shall comply with the following:

1) By March 15, 1996, upon initial start-up of a new lithographic printing line, and upon modification of a lithographic printing line, submit a certification to the Agency that includes:

A) A declaration that the source is exempt from the control requirements in Section 219.407 of this Part because of the criteria in Section 219.405(d) of this Subpart;

B) Calculations which demonstrate that combined actual emissions of VOM from all lithographic printing lines (including inks, fountain solutions, and solvents used for



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cleanup operations associated with the lithographic printing lines) at the source never exceed 45.5 kg/day (100 lbs/day) before the use of capture systems and control devices, as follows:

- i) To calculate actual daily emissions of VOM, the owner or operator shall determine the monthly emissions of VOM from all lithographic printing lines at the source (including solvents used for cleanup operations associated with the lithographic printing lines) and divide this amount by the number of days during that calendar month that printing lines at the source were in operation;
- ii) To determine the VOM content of the inks, fountain solution additives and cleaning solvents, the tests methods and procedures set forth in Section 219.409(c) of this Subpart shall be used;
- iii) To determine VOM emissions from ink used on lithographic printing line(s) at the source, an emission adjustment factor of 0.05 shall be used in calculating emissions from all non-heatset inks, and a factor of 0.80 shall be used in calculating emissions from all heatset inks to account for VOM retention in the substrate. The VOM content of the ink, as used, shall be multiplied by this factor to determine the amount of VOM emissions from the use of ink on the printing line(s); and

- iv) To determine VOM emissions from fountain solutions and cleaning solvents used on lithographic printing line(s) at the source, no retention factor is used;

C) Either a declaration that the source, through federally enforceable permit conditions, has limited its maximum theoretical emissions of VOM from all heatset web offset lithographic printing lines (including solvents used for cleanup operations associated with heatset web offset printing lines) at the source to no more than 90.7 Mg (100 tons) per calendar year before the application of capture systems and control devices or calculations which demonstrate that the source's total maximum theoretical emissions of VOM do not exceed 90.7 Mg/yr (100 TPY). To determine the source's total maximum theoretical emissions for the purposes of this subsection, the owner or operator shall use the calculations set forth in Section 219.406(b)(1)(A)(ii) of this Subpart; and

D) A description and the results of all tests used to determine the VOM content of inks, fountain solution additives, and cleaning solvents, and a declaration that all such tests have been properly conducted in accordance with Section 219.409(c)(1) of this Subpart;

2) On and after March 15, 1996, collect and record all of the

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following information for each lithographic printing line at the source:

- A) The name and identification of each fountain solution additive, ink, and cleaning solvent used on each lithographic printing line, recorded each month;
  - B) A daily record which shows whether or not a printing line at the source was in operation on that day;
  - C) The VOM content and the volume of each fountain solution additive, ink, and cleaning solvent used on each lithographic printing line, recorded each month;
  - D) The total VOM emissions at the source each month, determined as the sum of the product of usage and VOM content for each fountain solution additive, cleaning solvent, and ink (with the applicable VOM emission adjustment) used at the source, calculated each month; and
  - E) The actual VOM emissions in lbs/day for the month, calculated in accordance with Section 219.411(a)(1)(B):
- 3) On and after March 15, 1996, notify the Agency in writing if the combined actual emissions of VOM from all lithographic printing lines (including inks, fountain solutions, and solvents used for cleanup operations associated with the lithographic printing lines) at the source ever exceed 45.5 kg/day (100 lbs/day), before the use of capture systems and control devices, within 30 days after the event occurs. Such notification shall include a copy of all records of such event.
- b) An owner or operator of a heatset web offset lithographic printing line(s) subject to the control requirements of Section 219.407(a)(1)(C) or (b)(1) of this Subpart shall comply with the following:
    - 1) By March 15, 1996, upon initial start-up of a new printing line, and upon initial start-up of a new control device for a heatset web offset printing line, submit a certification to the Agency that includes the following:
      - A) An identification of each heatset web offset lithographic printing line at the source;
      - B) A declaration that each heatset web offset lithographic printing line is in compliance with the requirements of Section 219.407 (a)(1)(B), (a)(1)(C), (a)(1)(D) and (a)(1)(E) or (b) of this Subpart, as appropriate;
      - C) The type of afterburner or other approved control device used to comply with the requirements of Section 219.407(a)(1)(C) or (b)(1) of this Subpart;
      - D) The control requirements in Section 219.407(a)(1)(C) or (b)(1) of this Subpart with which the lithographic printing line is complying;
      - E) The results of all tests and calculations necessary to demonstrate compliance with the control requirements of Section 219.407(a)(1)(C) or (b)(1) of this Subpart, as applicable; and

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- F) A declaration that the monitoring equipment required under Section 219.407(a)(1)(D) or (b) of this Subpart, as applicable, has been properly installed and calibrated according to manufacturer's specifications.
- 2) If testing of the afterburner or other approved control device is conducted pursuant to Section 219.409(b) of this Subpart, the owner or operator shall, within 90 days of conducting such testing, submit a copy of all test results to the Agency and shall submit a certification to the Agency that includes the following:
- A) A declaration that all tests and calculations necessary to demonstrate whether or not the lithographic printing line(s) is in compliance with Section 219.407(a)(1)(C) or (b)(1) of this Subpart, as applicable, have been properly performed;
- B) A statement whether the lithographic printing line(s) is or is not in compliance with Section 219.407(a)(1)(C) or (b)(1) of this Subpart, as applicable; and
- C) The operating parameters of the afterburner or other approved control device during testing, as monitored in accordance with Section 219.410(c) or (d) of this Subpart, as applicable;
- 3) On and after March 15, 1996, collect and record daily the following information for each heatset web offset lithographic printing line subject to the requirements of Section 219.407(a)(1)(C) or (b)(1) of this Subpart:
- A) Afterburner or other approved control device monitoring data in accordance with Section 219.410(c) or (d) of this Subpart, as applicable;
- B) A log of operating time for the afterburner or other approved control device, monitoring equipment, and the associated printing line;
- C) A maintenance log for the afterburner or other approved control device and monitoring equipment detailing all routine and non-routine maintenance performed, including dates and duration of any outages; and
- D) A log detailing checks on the air flow direction or air pressure of the dryer and press room to insure compliance with the requirements of Section 219.407(a)(1)(B) of this Subpart at least once per 24-hour period while the line is operating;
- 4) On and after March 15, 1996, notify the Agency in writing of any violation of Section 219.407(a)(1)(C) or (b)(1) of this Subpart within 30 days after the occurrence of such violation. Such notification shall include a copy of all records of such violation;
- 5) If changing its method of compliance between subsections (a)(1)(C) and (b) of Section 219.407 of this Subpart, certify compliance for the new method of compliance in accordance with subsection (b)(1) of this Section at least 30 days before making

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- such change, and perform all tests and calculations necessary to demonstrate that such printing line(s) will be in compliance with the requirements of Section 219.407(a)(1)(B), (a)(1)(C), (a)(1)(D) and (a)(1)(E) of this Subpart, or Section 219.407(b) of this Subpart, as applicable.
- C) An owner or operator of a lithographic printing line subject to Section 219.407(a)(1)(A), (a)(2), or (a)(3) of this Subpart, shall:
- i) By March 15, 1996, and upon initial start-up of a new lithographic printing line, certify to the Agency that fountain solutions used on each lithographic printing line will be in compliance with the applicable VOM content limitation. Such certification shall include:
- A) Identification of each lithographic printing line at the source, by type, e.g., heatset web offset, non-heatset web offset, or sheet-fed offset;
- B) The VOM content limitation with which each fountain solution will comply;
- C) Initial documentation that each type of fountain solution will comply with the applicable VOM content limitation, including copies of manufacturer's specifications, test results, if any, formulation data and calculations;
- D) Identification of the method that will be used to demonstrate continuing compliance with the applicable limitation, e.g., a refractometer, hydrometer, conductivity meter, or alternative procedures with detailed description of the compliance methodology; and
- E) A sample of the records that will be kept pursuant to Section 219.411(c)(2) of this Subpart.
- 2) On and after March 15, 1996, collect and record the following information for each fountain solution used on each lithographic printing line:
- A) The name and identification of each batch of fountain solution prepared for use on lithographic printing line(s), and the applicable VOM content limitation for the batch;
- B) If an owner or operator uses a hydrometer, refractometer, or conductivity meter, pursuant to Section 219.410(b)(1)(A), to demonstrate compliance with the applicable VOM content limit in Section 219.407(a)(1)(A), (a)(2), or (a)(3) of this Subpart:
- i) The date and time of preparation, and each subsequent modification, of the batch;
- ii) The results of each measurement taken in accordance with Section 219.410(b) of this Subpart;
- iii) Documentation of the periodic calibration of the meter in accordance with the manufacturer's specifications, including date and time of calibration, personnel conducting, identity of standard solution, and resultant reading; and
- iv) Documentation of the periodic temperature adjustment



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of the meter, including date and time of adjustment, personnel conducting and results:

- C) If the VOM content of the fountain solution is determined pursuant to Section 219.410(b)(2) of this Subpart, for each batch of as-applied fountain solution:

- i) Date and time of preparation and each subsequent modification of the batch;
- ii) Calculated VOM content of the as-applied fountain solution; and
- iii) Any other information necessary to demonstrate compliance with the applicable VOM content limits in Section 219.407(a)(1)(A), (a)(2) and (a)(3) of this Subpart, as specified in the source's operating permit;

- D) If the owner or operator relies on the temperature of the fountain solution to comply with the requirements in Section 219.407(a)(1)(A)(ii) or (a)(3)(B) of this Subpart:

- i) The temperature of the fountain solution at each printing line, as monitored in accordance with Section 219.410(a); and
- ii) A maintenance log for the temperature monitoring devices detailing all routine and non-routine maintenance performed, including dates and duration of any outages;

- 3) Notify the Agency in writing of any violation of Section 219.407 of this Subpart within 30 days after the occurrence of such violation. Such notification shall include a copy of all records of such violation; and

- 4) If changing its method of demonstrating compliance with the applicable VOM content limitations in Section 219.407 of this Subpart, or changing the method of demonstrating compliance with the VOM content limitations for fountain solutions pursuant to Section 219.409 of this Subpart, certify compliance for such new method(s) in accordance with subsection (c)(1) of this Section at least 30 days before making such change, and perform all tests and calculations necessary to demonstrate that such printing line(s) will be in compliance with the applicable requirements of Section 219.407 of this Subpart.

- d) For lithographic printing line cleaning operations, an owner or operator of a lithographic printing line subject to the requirements of Section 219.407 of this Subpart shall:

- i) By March 15, 1996, or upon initial start-up of a new lithographic printing line, certify to the Agency that all cleaning solutions, and the handling of cleaning materials, will be in compliance with the requirements of Section 219.407(a)(4)(A) or (a)(4)(B) and (a)(5) of this Subpart, and such certification shall also include:

- A) Identification of each VOM-containing cleaning solution used on each lithographic printing line;

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- B) The limitation with which each VOM-containing cleaning solution will comply, i.e., the VOM content or vapor pressure;

- C) Initial documentation that each VOM-containing cleaning solution will comply with the applicable limitation, including copies of manufacturer's specifications, test results, if any, formulation data and calculations;

- D) Identification of the method that will be used to demonstrate continuing compliance with the applicable limitations;

- E) A sample of the records that will be kept pursuant to Section 219.411(d)(2) of this Subpart; and

- F) A description of the practices that assure that VOM-containing cleaning materials are kept in closed containers;

- 2) On and after March 15, 1996, collect and record the following information for each cleaning solution used on each lithographic printing line:

- A) For each cleaning solution for which the owner or operator relies on the VOM content to demonstrate compliance with Section 219.407(a)(4)(A) of this Subpart and which is prepared at the source with automatic equipment:

- i) The name and identification of each cleaning solution;
- ii) The VOM content of each cleaning solvent in the cleaning solution, as determined in accordance with Section 219.409(c) of this Subpart;

- iii) Each change to the setting of the automatic equipment, with date, time, description of changes in the cleaning solution constituents (e.g., cleaning solvents), and a description of changes to the proportion of cleaning solvent and water (or other non-VOM) used to prepare the as-used cleaning solution;

- iv) The proportion of each cleaning solvent and water (or other non-VOM) used to prepare the as-used cleaning solution;

- v) The VOM content of the as-used cleaning solution, with supporting calculations; and

- vi) A calibration log for the automatic equipment, detailing periodic checks;

- B) For each batch of cleaning solution for which the owner or operator relies on the VOM content to demonstrate compliance with Section 219.407(a)(4)(A) of this Subpart, and which is not prepared at the source with automatic equipment:

- i) The name and identification of each cleaning solution;
- ii) Date and time of preparation, and each subsequent modification, of the batch;

- iii) The VOM content of each cleaning solvent in the cleaning solution, as determined in accordance with Section 219.409(c) of this Subpart;



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- iv) The total amount of each cleaning solvent and water (or other non-VOM) used to prepare the as-used cleaning solution; and
- v) The VOM content of the as-used cleaning solution, with supporting calculations;
- c) For each batch of cleaning solution for which the owner or operator relies on the vapor pressure of the cleaning solution to demonstrate compliance with Section 219.407(a)(4)(B) of this Subpart:
- The name and identification of each cleaning solution;
  - Date and time of preparation, and each subsequent modification, of the batch;
  - The molecular weight, density, and VOM composite partial vapor pressure of each cleaning solvent, as determined in accordance with Section 219.409(e) of this Subpart;
  - The total amount of each cleaning solvent used to prepare the as-used cleaning solution; and
  - The VOM composite partial vapor pressure of each as-used cleaning solution, as determined in accordance with Section 219.409(e) of this Subpart;
- d) The date, time and duration of scheduled inspections performed to confirm the proper use of closed containers to control VOM emissions, and any instances of improper use of closed containers, with descriptions of actual practice and corrective action taken, if any;
- 3) On and after March 15, 1996, notify the Agency in writing of any violation of Section 219.407 of this Subpart within 30 days after the occurrence of such violation. Such notification shall include a copy of all records of such violation; and
- 4) If changing its method of demonstrating compliance with the requirements of Section 219.407(a)(4) of this Subpart, or changing between automatic and manual methods of preparing cleaning solutions, certify compliance for such new method in accordance with subsection (d)(1) of this Section, at least 30 days before making such change, and perform all tests and calculations necessary to demonstrate that such printing line(s) will be in compliance with the applicable requirements of Section 219.407(a)(4) of this Subpart.
- e) The owner or operator shall maintain all records required by this Section at the source for a minimum period of three years and shall make all records available to the Agency upon request.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 219.412 Recordkeeping and Reporting for Fountain and Cleaning Solution Stricter Limits

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- a) An owner or operator of lithographic printing line(s) subject to the requirements of Section 219.407(a)(1)(A), (a)(2), or (a)(3) of this Subpart may elect to comply with the recordkeeping and reporting requirements of subsection (b) of this Section, rather than the recordkeeping and reporting requirements in Section 219.411(c) of this Subpart and the applicable monitoring requirements in Section 219.409 of this Subpart for each lithographic printing line that meets the following criteria:
- The VOM content of the as-applied fountain solution is subject to federally enforceable permit conditions contained in the source's operating permit that limit the VOM content of the as-applied fountain solution to 75% or less of the applicable VOM content limit in Section 219.407(a)(1)(A), (a)(2), or (a)(3) of this Subpart. Each such as-applied fountain solution is hereinafter referred to as the "75% Fountain Solution";
  - The owner or operator submits to the Agency six consecutive months of records of the type and with the information specified in Section 219.411(c)(2) of this Subpart demonstrating that the VOM content of the as-applied fountain solution would comply with the applicable 75% Fountain Solution VOM content limit, as specified in the source's operating permit; and
  - The owner or operator notifies the Agency in writing at least 45 days in advance of such change and submits a certification in accordance with subsection (b)(1) of this Section. Such notification shall include a summary of the records relied upon pursuant to subsection (a)(2) of this Section.
- b) The owner or operator electing to comply with subsections (a) and (b) of this Section shall for each lithographic printing line to which the 75% Fountain Solution is applied:
- Certify to the Agency that each as-applied fountain solution complies with the applicable 75% Fountain Solution VOM content limit contained in the source's operating permit. Such certification shall include:
    - Identification of the lithographic printing line(s) at the source, by type, e.g., heatset web offset, non-heatset web offset, or sheet-fed offset, to which the 75% Fountain Solution is applied; and
    - The otherwise applicable VOM content limitation for each 75% Fountain Solution, as specified in Section 219.407(a)(1)(A), (a)(2), or (a)(3) of this Subpart;
  - Collect and record the following information for each 75% Fountain Solution used on each lithographic printing line:
    - The name and identification of each 75% Fountain Solution, recorded each month;
    - The VOM content of each fountain solution additive in the 75% Fountain Solution, determined in accordance with Section 219.409(c) of this Subpart;
    - The total amount of each fountain solution additive and water (or other non-VOM) used to prepare the 75% Fountain

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Solution, recorded each month; and

D) The VOM content of the 75% Fountain Solution, calculated on a monthly basis, with supporting calculations;

3) If the owner or operator also relies on the temperature of the fountain solution to demonstrate compliance with Section 219.407(a)(1)(A)(ii) or (a)(3)(B) of this Subpart, collect and record the information specified in Section 219.411(c)(2)(D) of this Subpart; and

4) Notify the Agency in writing of any violation of a 75% Fountain Solution VOM content limit, within 30 days after the occurrence of such violation. Such notification shall include a copy of all records of such violation.

c) An owner or operator of lithographic printing line(s) subject to the requirements of Section 219.411(a)(4) of this Subpart may elect to comply with the recordkeeping and reporting requirements of subsection (d) of this Section, rather than the recordkeeping and reporting requirements in Section 219.411(d) of this Subpart and the applicable monitoring requirements in Section 219.409 of this Subpart for each lithographic printing line that meets the following criteria:

1) The VOM content or the VOM composite partial vapor pressure of the as-used cleaning solution, as applicable, is subject to federally enforceable permit conditions contained in the source's operating permit that limit the VOM content or the VOM composite partial vapor pressure of the as-used cleaning solution to 75% or less of the VOM content limit in Section 219.407(a)(4)(A) of this Subpart or to 75% or less of the VOM composite partial vapor pressure limit in Section 219.402(a)(4)(B) of this Subpart, respectively. Each such as-used cleaning solution is hereinafter referred to as the "75% Cleaning Solution;"

2) The owner or operator submits to the Agency six consecutive months of records of the type and with the information specified in Section 219.411(d)(2)(A), (d)(2)(B), or (d)(2)(C) of this Subpart, as applicable, demonstrating that the VOM content or the VOM composite partial vapor pressure (as applicable) of the as-used cleaning solution would comply with the applicable 75% Cleaning Solution VOM content limit or the VOM composite partial vapor pressure limit, as specified in the source's operating permit; and

3) The owner or operator notifies the Agency in writing at least 45 days in advance of such change and submits a certification in accordance with subsection (d)(1) of this Section. Such notification shall include a summary of the records relied upon pursuant to the subsection (c)(2) of this Section.

d) The owner or operator electing to comply with subsections (c) and (d) of this Section shall for each lithographic printing line on which the 75% Cleaning Solution is used:

1) Certify to the Agency that each as-used cleaning solution complies with the applicable 75% Cleaning Solution VOM content limit or VOM composite partial vapor pressure limit contained in

## POLLUTION CONTROL BOARD

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the source's operating permit. Such certification shall include:

A) Identification of the lithographic printing line(s) at the source to which the 75% Cleaning Solution is applied; and

B) Whether the as-used cleaning solution achieves a VOM content limit or VOM composite partial vapor pressure that is 75% or less of the otherwise applicable limitation, as specified in Section 219.407(a)(4)(A) or (a)(4)(B), respectively;

2) Collect and record the following information for 75% Cleaning Solution used on each lithographic printing line:

A) The name and identification of each 75% Cleaning Solution, recorded each month;

B) The VOM content or the VOM composite partial vapor pressure, as applicable, of each cleaning solvent in the 75% Cleaning Solution, determined in accordance with Section 219.409(e)(1) or (e)(2) of this Subpart, as applicable;

C) The total amount of each cleaning solvent and water (or other non-VOM) used to prepare the 75% Cleaning Solution, recorded each month; and

D) The VOM content or the VOM composite partial vapor pressure, as applicable, of the 75% Cleaning Solution, calculated on a monthly basis, with supporting calculations;

3) Notify the Agency in writing of any violation of a 75% Cleaning Solution VOM content limit or VOM composite partial vapor pressure limit within 30 days after the occurrence of such violation. Such notification shall include a copy of all records of such violation.

e) The owner or operator shall maintain all records required by this Section at the source for a minimum period of three years and shall make all records available to the Agency upon request.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART T: PHARMACEUTICAL MANUFACTURING

## Section 219.480 Applicability

a) The rules of this Subpart, except for Sections 219.483 through 219.485, apply to all emission units of VOM, including but not limited to reactors, distillation units, dryers, storage tanks for VOL, equipment for the transfer of VOL, filters, crystallizers, washers, laboratory hoods, pharmaceutical coating operations, mixing operations and centrifuges used in manufacturing, including packaging, of pharmaceuticals, and emitting more than 6.8 kg/day (15 lbs/day) and more than 2,268 kg/year (2.5 tons/year) of VOM. If such emission unit emits less than 2,268 kg/year (2.5 tons/year) of VOM, the requirements of this Subpart still apply to the emission unit if VOM emissions from the emission unit exceed 45.4 kg/day (100 lbs/day).

b) Sections 219.483 through 219.485 of this Part apply to a source having



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one or more emission units that:

- 1) Are used to manufacture pharmaceuticals, and
- 2) Emit more than 6.8 kg/day (15 lbs/day) of VOM and more than 2,268 kg/year (2.5 tons/year) of VOM, or, if less than 2,268 kg/year (2.5 tons/year), these Sections still apply if emissions from one or more sources exceed 45.4 kg/day (100 lbs/day).
- c) No owner or operator shall violate any condition in a permit when the condition results in exclusion of an emission unit from this Subpart.
- d) Any pharmaceutical manufacturing source that becomes subject to the provisions of this Subpart at any time shall remain subject to the provisions of this Subpart at all times.
- e) Emissions subject to this Subpart shall be controlled at all times consistent with the requirements set forth in this Subpart.
- f) Any control device required pursuant to this Subpart shall be operated at all time when the source it is controlling is operated.
- g) Determinations of daily and annual emissions for purposes of this Section shall be made using both data on the hourly emission rate (or the emissions per unit of throughput) and appropriate daily and annual data from records of emission unit operation (or material throughput or material consumption data). In the absence of representative test data pursuant to Section 219.487 of this Part for the hourly emissions rate (or the emissions per unit of throughput), such items shall be calculated using engineering calculations, including the methods described in Appendix B of "Control of Volatile Organic Emissions from Manufacturing of Synthesized Pharmaceutical Products" (EPA-450/2-78-029), incorporated by reference in Section 219.112 of this Part. (This subsection shall not affect the Agency's or the USEPA's authority to require emission tests to be performed pursuant to Section 219.487 of this Part.)
- h) Equipment and operations emitting VOM at a source subject to subsection (a) or (c) of this Section and used to produce pharmaceutical products or a pharmaceutical-like product such as a hormone, enzyme, or antibiotic, shall be deemed to be engaged in the manufacture of pharmaceuticals for the purposes of this Subpart.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Individualized Written Rehabilitation Program (IWRP)
- 2) Code Citation: 89 Ill. Adm. Code 572
- 3) 

<u>Section Numbers:</u>	<u>Proposed Action:</u>
572.10	Amended
572.30	Amended
572.40	Amended
572.50	Amended
572.60	Amended
572.70	Amended
572.80	Amended
572.90	Amended
572.100	Amended
572.110	Amended
572.200	Amended
- 4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)].
- 5) A Complete Description of the Subjects and Issues Involved: The amendments to Section 572.40 are being made to clarify that the customer's Individualized Written Rehabilitation Program (IWRP) and Individualized Education Program (IEP) must be coordinated only as appropriate. Previous language indicated the IWRP and IEP must be coordinated in all instances. Also, the term "clients" has been changed to the preferred term of "customers", throughout the Part.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this rulemaking contain incorporations by reference? No.
- 9) Are there any other proposed rulemakings pending on this Part? No.
- 10) Statement of Statewide Policy Objectives: This is not applicable to this Rulemaking.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Susan Warner, Manager  
Regulations and Procedures Division

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Department of Rehabilitation Services  
P.O. Box 19429  
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896  
TTY: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Amendment begins on the next page:

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES  
SUBCHAPTER b: VOCATIONAL REHABILITATION

## PART 572

## INDIVIDUALIZED WRITTEN REHABILITATION PROGRAM (IWRP)

Section	
572.10	General Applicability
572.20	Commencement of the IWRP
572.30	Purpose of the IWRP
572.40	Coordination of the IWRP with an Individualized Educational Program (IEP)
572.50	IWRP Development and Content
572.60	Format of the IWRP
572.70	Services to Families
572.80	IWRP Amendments
572.90	Notice of Changes to the IWRP
572.100	Case File Documentation
572.110	Review of IWRP
572.200	Reporting of <u>Client</u> Customer Participation

**AUTHORITY:** Implementing and authorized by Sections 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), (b), and (k)) [20 ILCS 2405/3(a), (b), and (k)].

**SOURCE:** Adopted at 9 Ill. Reg. 8801, effective June 10, 1985; amended at 11 Ill. Reg. 5144, effective March 17, 1987; amended at 14 Ill. Reg. 18561, effective November 5, 1990; amended at 15 Ill. Reg. 17367, effective November 19, 1991; emergency amendments at 17 Ill. Reg. 11770, effective July 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 20438, effective November 15, 1993; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 572.10 General Applicability

Rules contained within this Part are applicable to all Department of Rehabilitation Services' (DORS) Vocational Rehabilitation (VR) ~~clients~~ customer.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

## Section 572.30 Purpose of the IWRP

- a) The IWRP is a non-binding agreement between the client customer and DORS that outlines the services DORS intends to provide, or to assist the client customer in the attainment of, to enhance the capacity of the client customer to achieve his/her employment objective(s).



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- b) The IWRP identifies the program of services that will assist the individual to achieve his/her employment objective consistent with his/her unique strengths, resources, priorities, concerns, abilities and capabilities.
- c) All services that will be provided to a client customer, after eligibility has been determined and a Comprehensive Assessment of Rehabilitation Needs to the extent necessary for the individual client customer has been completed, must be listed on the client's IWRP.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

#### Section 572.40 Coordination of the IWRP with an Individualized Educational Program (IEP)

In all cases of secondary school students/customers clients (public, private, state-operated schools), whenever an IEP (as described in 23 Ill. Adm. Code 226.5 "Terms Defined") is involved, if appropriate, DORS' IWRP shall be prepared in coordination with the educational facility and shall include a summary of relevant elements of the IEP which relate to the vocational goals and objectives contained in the IWRP.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

#### Section 572.50 IWRP Development and Content

- a) After completion of the Comprehensive Assessment of Rehabilitation Needs (89 Ill. Adm. Code 553.100), an IWRP must be developed to outline the specific services the client customer will receive to enhance the ability of the client customer to achieve his/her employment objective(s).
- b) The IWRP must be jointly developed, agreed to and signed by the client customer, or, as appropriate, the client's customer's parent, family member, guardian, advocate, or authorized representative, and the counselor.

- c) The IWRP must contain the following:

- 1) a statement of the long term rehabilitation goals based on the Comprehensive Assessment of Rehabilitation Needs (89 Ill. Adm. Code 553.100), including an assessment of the client's customer's career interests, the goal for which shall be, to the maximum extent possible, an employment outcome in an integrated setting;
- 2) a statement of intermediate rehabilitation objectives related to attainment of the client's customer's employment goal and how these objectives are to be met, based on the informed choice of the client customer, in the most individualized and integrated setting;
- 3) a statement of the specific VR services to be provided, with anticipated beginning and ending dates for each service;

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- 4) an assessment, and a reassessment prior to case closure, of the expected need for post-employment services;
  - 5) an objective criteria and evaluation method, with specific dates, to determine if the goals and objectives are being met;
  - 6) a description of the terms and conditions under which services will be provided to the client customer in the most integrated setting possible;
  - 7) identification of the entity or entities that provide VR services to the client customer and how the client customer will receive the specific services (e.g., by attending an on-site training program, by office visits to a medical service provider, etc.);
  - 8) a statement by the client customer, in the client's customer's words, or if appropriate, by a parent, family member, guardian, advocate or authorized representative, describing how the client customer was informed about his/her options regarding his/her objectives, services, service providers and methods of service procurement and how he/she was involved in making these choices;
  - 9) the client's customer's rights and remedies, including recourse under the appeals process (89 Ill. Adm. Code 510);
  - 10) a description of the availability of services through the Client Assistance Program; and
  - 11) information regarding other related benefits and services the client customer may access, which will not be services DORS will assist in obtaining, but which may assist in the attainment of his/her employment goal.
- d) As appropriate, the client's customer's IWRP must also contain:
- 1) identification of necessary rehabilitation technology services;
  - 2) identification of the anticipated need for on-the-job and related Personal Assistance services;
  - 3) assessment of the client's customer's needs for extended services, and prior to case closure after attainment of the employment goal, reassessment of such needs; and
  - 4) a statement describing how services shall be provided or arranged through cooperative agreements with other service providers.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

#### Section 572.60 Format of the IWRP

A copy of the original IWRP and any amendments must be provided to the client customer and must, to the maximum extent possible, be provided in the client's customer's native language or mode of communication, or, as appropriate, in the native language or mode of communication of the parent, family member, guardian, advocate or authorized representative.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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**Section 572.70 Services to Families**

DORS shall provide VR services as contained in 89 Ill. Adm. Code: Chapter IV, Subchapter b, "Vocational Rehabilitation" to a client's customer's family members when those services are necessary to assist the client customer in attaining or retaining a suitable employment outcome.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 572.80 IWRP Amendments**

- a) Any change to an individual's planned program of services, vocational goals, or objectives requires an amendment to the IWRP. The case file must have documentation reflecting the reasons for the amendment. Closures require an IWRP amendment.
- b) Any amendments or revisions resulting from an annual review (89 Ill. Adm. Code 572.110) shall not take effect until the changes are agreed to and signed by the client customer or, as appropriate, the parent, family member, guardian, advocate or authorized representative.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 572.90 Notice of Changes to the IWRP**

Adequate, timely notification of any DORS - initiated change to the IWRP must be provided to the client customer. Such notification must be made in writing at least 15 work days prior to the effective date of change unless the client customer has signed the IWRP indicating agreement with the change. The notification must conform to 89 Ill. Adm. Code 510.60(d).

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 572.100 Case File Documentation**

The client's customer's case file must contain documentation and justification for any decision to provide, deny, or alter any services, based on the client's customer's and counselor's knowledge of the client's customer's service needs, the availability of appropriate services, and DORS rules (89 Ill. Adm. Code: Chapter IV, Subchapter b, "Vocational Rehabilitation").

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 572.110 Review of IWRP**

An IWRP shall be reviewed whenever necessary, but at least annually, to ensure

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that services being provided are adequate and appropriate to ensure the client customer a successful employment outcome.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 572.200 Reporting of Client Customer Participation**

Counselors shall report to the Social Security Administration SSI/SSDI beneficiaries who:

- a) are refusing VR services,  
b) are failing to cooperate, or  
c) cannot be located.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



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- 1) Heading of the Part: Services
- 2) Code Citation: 89 Ill. Adm. Code 590
- 3)
 

<u>Section Numbers:</u>	<u>Proposed Action:</u>
590.50	Amended
590.60	Amended
590.70	Amended
590.80	Amended
590.90	Amended
590.100	Amended
590.110	Amended
590.120	Amended
590.130	Amended
590.140	Amended
590.150	Amended
590.160	Amended
590.170	Amended
590.180	Amended
590.190	Amended
- 4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3], and authorized by Section 16 of the Civil Administrative Code of Illinois [20 ILCS 5/16].
- 5) A Complete Description of the Subjects and Issues Involved: The amendments to Section 590.60(a)(2) correct the term "licensed medical technician" replacing it with "registered professional nurse".  
 The amendments to Section 590.60(a)(4) clarify that psychological testing and evaluation performed on a DORS customer may be administered by a non-psychologist as long as it is reviewed and signed by a psychologist in addition to the individual performing the testing/evaluation.  
 The amendments to Section 590.120 change the term "low vision aids" to the preferred "low vision devices".  
 Also, the term "client", in all of its forms, has been changed to the preferred term "customer", in all of its forms throughout the Subpart.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect?  
No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this rulemaking contain incorporations by reference? No.
- 9) Are there any other proposed rulemakings pending on this Part? Yes.

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- | <u>Section Numbers</u> | <u>Proposed Action</u> | <u>Illinois Register Citation</u> |
|------------------------|------------------------|-----------------------------------|
| 590.320                | Amendments             | not yet published                 |
| 590.370                | Amendments             | not yet published                 |
| 590.400                | Amendments             | 14627                             |
| 590.410                | Amendments             | 14627                             |
- 10) Statement of Statewide Policy Objectives: This is not applicable to this Rulemaking.
  - 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:  
 Ms. Susan Warrner, Manager  
 Regulations and Procedures Division  
 Department of Rehabilitation Services  
 P.O. Box 19429  
 Springfield, Illinois 62794-9429  
 Telephone number: (217) 785-3896  
 TTD/TTY (217) 785-9301  
 If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.
  - 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.  
 The full text of the Proposed Amendment begins on the next page:

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TITLE 89: SOCIAL SERVICES  
 CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES  
 SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 590  
SERVICES

## SUBPART A: APPLICABILITY

## Section

590.10 General Applicability

590.20 Availability of Services

590.30 Effect of Financial Status on Services

590.35 Effect of Comparable Benefits

590.40 Choice of Service Providers

## SUBPART B: MEDICAL, PSYCHOLOGICAL AND RELATED SERVICES

## Section

590.50 Provision of Services

590.60 Qualification of Medical and Psychological Service Providers

590.70 Treatment of Acute Conditions

590.80 Medication and Treatment

590.90 Hearing Aids

590.100 Binaural Hearing Aids

590.110 Speech and Language Services

590.120 Low Vision Aids Devices

590.130 Mental Restoration Services

590.140 Heart Surgeries

590.150 Kidney Transplant and Related Services

590.160 Chiropractic Services

590.170 Prosthetic and Orthotic Device

590.180 Wheelchairs

590.190 Prohibited Services

## SUBPART C: TRAINING AND RELATED SERVICES

## Section

590.200 Provision of Services

590.210 Qualification of Training Facilities/Institutions

590.220 Purpose and Types of Training

590.230 Financial Guidelines for Training Services

590.240 Graduate School Training

590.250 Choice of Training Facility/Institution

590.260 Summer School

590.270 Grades

590.280 Health Status

590.290 On-the-Job Training

590.300 Default on Educational Loans

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## SUBPART D: TOOLS, EQUIPMENT, SUPPLIES AND INITIAL STOCK

## Section

590.310 Provision of Services

590.320 Self-Employment Program

590.330 Services/Goods not Available

590.340 Bidding Requirements

590.350 Recovery of Tools, Equipment, Supplies and Initial Stock

590.360 Transfer of Title

590.370 Limitation of Financial Participation

## SUBPART E: VEHICLE ADAPTATION AND ENVIRONMENTAL MODIFICATION

## Section

590.375 Provision of Services

590.380 Vendor Requirements

590.390 Bidding Requirements

590.400 Vehicle Adaptation

590.410 DORS Financial Participation in Van Adaptation

590.420 Environmental Modification

590.430 Written Agreements for Environmental Modification

590.440 Compliance with Capital Development Board Specifications

## SUBPART F: PERSONAL SUPPORT SERVICES AND AUXILIARY AIDS

## Section

590.450 Provision of Services

590.460 Types of Services

590.470 Services

590.480 Qualifications for Services Provided by Individuals

590.490 Payment for Support Services Provided by Individuals and Conditions of Service Provision

## SUBPART G: COMPUTER EQUIPMENT AND SENSORY AID LOAN

## Section

590.500 Provision of Services

590.510 Definitions

590.520 Purpose of Equipment Loans

590.530 Criteria for Loan of Equipment/Aids

590.540 Equipment/Aids Loan Request Procedures and Approval Process

590.550 Duration of Loans

590.560 Maintenance and Return of Equipment/Aids

590.570 Assistance in Obtaining Permanent Equipment, Aids

590.580 Limitations on Available Equipment/Aids

## SUBPART H: OTHER SERVICES

## Section

## DEPARTMENT OF REHABILITATION SERVICES

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590.590 Provision of Services  
 590.600 Transportation and Temporary Lodging  
 590.610 Other Goods and Services  
 590.620 Equipment Sets

## SUBPART I: PLACEMENT

Section  
 590.630 Provision of Placement Services  
 590.640 Description of Services

## SUBPART J: MAINTENANCE

Section  
 590.650 Provision of Services  
 590.660 Definitions  
 590.670 Determination of the Need for Maintenance  
 590.675 Determination of Client Financial Participation in Maintenance  
 590.680 Exceptions to Basic Needs Level

## SUBPART K: POST-EMPLOYMENT SERVICES

590.700 Provision of Services  
 590.710 Definitions  
 590.720 Scope of Services

## SUBPART L: TRANSITION

590.730 Provision of Services  
 590.740 Definitions  
 590.750 Secondary Transitional Experience Program (STEP)

**AUTHORITY:** Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3], and authorized by Section 16 of the Civil Administrative Code of Illinois [20 ILCS 5/16].

**SOURCE:** Emergency Rules adopted at 17 Ill. Reg. 11812, effective July 1, 1993, for a maximum of 150 days; adopted at 17 Ill. Reg. 20461, effective November 15, 1993; amended at 18 Ill. Reg. 11275, effective June 30, 1994; emergency amendment at 18 Ill. Reg. 16468, effective October 20, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART B: MEDICAL, PSYCHOLOGICAL AND RELATED SERVICES

## Section 590.50 Provision of Services

- a) All services described in this Subpart shall be provided in accordance with the provisions of this Subpart and Subpart A of this Part.

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- b) All services provided in accordance with this Subpart shall be recommended in writing by the client's customer's physician or psychologist who will perform the service.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

## Section 590.60 Qualification of Medical and Psychological Service Providers

To be qualified to provide services (89 Ill. Adm. Code 590.40) under this Part, the following shall apply:

- a) for providing medical services to individuals with mental or physical disabilities, the individual service providers must be:
- 1) a physician, surgeon (i.e., doctor of medicine, psychiatry or osteopathy), or chiropractor licensed pursuant to the Medical Practice Act of 1987 (~~111-Rev-Stat-19917-ch-1117-par-4400-1 et-seq~~) [225 ILCS 60];
  - 2) a licensed medical-technician (~~111-Rev-Stat-19917-ch-1117-par-3501-et-seq~~) [225 ILCS 65];
  - 3) a therapist or physician assistant licensed pursuant to the Physician Assistant Practice Act of 1987 (~~111-Rev-Stat-19917-ch-1117-par-4601-et-seq~~) [225 ILCS 95];
  - 4) a psychologist licensed to practice under the Clinical Psychologists Psychologists Licensing and Disciplinary Act (~~111-Rev-Stat-19917-ch-1117-par-532-et-seq~~) [225 ILCS 15] by the Illinois Department of Professional Regulation or registered and approved by the Illinois State Board of Education. Psychological testing or evaluation performed by an individual who is not licensed but who has the appropriate training and skill to administer such testing and evaluation may be accepted if a licensed psychologist also reviews and signs the report;
  - 5) an optometrist licensed pursuant to Optometric Licensing Act (~~111-Rev-Stat-19917-ch-1117-par-9901-et-seq~~) [225 ILCS 80]; or
  - 6) podiatrists licensed pursuant to the Podiatric Medical Practice Act of 1987 (~~111-Rev-Stat-19917-ch-1117-par-4801-et-seq~~) [225 ILCS 100].
- b) Hospitals used to provide services to clients customers under this Part must be approved by the Joint Commission on Accreditation of Hospitals.
- c) In order to provide hearing and hearing aid evaluations under 89 Ill. Adm. Codes 590.90 - Hearing Aids, the evaluator must:
- 1) be licensed pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act (Audiology Act) (~~111-Rev-Stat-19917-ch-1117-par-7901-et-seq~~) [225 ILCS 110];
  - 2) meet the requirements set forth in the Hearing Aid Consumer Protection Act (Hearing Aid Act) (~~111-Rev-Stat-19917-ch-1117~~



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par--740t-et-seq-7 {275 ILCS 501; or

- 3) if not approved as of the effective date of this Part, be approved by the Manager, Division of Services for Persons who are Deaf or Hard of Hearing, or his/her designee. This approval shall be based on the evaluator's ability to:

- A) conduct testing in an acoustically treated booth;
- B) ensure a maximum ambient noise level at or below the standards established by the American National Standards Institute (ANSI 3.1-1977); and
- C) provide testing with both ear phones and in a sound field (any test environment in which auditory stimuli are presented via a calibrated audiometer through one or more loudspeakers).
- D) Speech and language pathologists must be approved by American Speech and Hearing Association (ASHA) and have a Certificate of Clinical Competence (CCC) in Speech Pathology.
- E) Hospital surgical teams providing heart surgery (89 Ill. Adm. Code 590.140) must perform at least 100 such operations per year as documented by the hospital in which the services will be performed.
- F) Prosthetic/orthotic device vendors must be certified by the American Board of Certification in Orthotics and Prosthetics, Inc., or by the National Association of Retail Druggists.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 590.70 Treatment of Acute Conditions

- a) DORS will pay for treatment of an acute condition which is severe but of a short duration which is determined by the client customer and counselor as necessary at any time during the life of the case which is recommended by an appropriate medical professional and which is necessary to avoid interruption of services listed in the client's customer's IWRP.

- b) An amendment to the IWRP (89 Ill. Adm. Code 572.80) is required to allow for the provision of these services.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 590.80 Medication and Treatment

- a) DORS may pay for medication/treatment (e.g., doctor's office visits, medication) if necessary to cure or stabilize a condition in accordance with the client's customer's IWRP.

- b) DORS shall not pay for ongoing medication/treatment (treatment for a condition for which there is no foreseeable date of termination of the medication/treatment) except as a support service to the primary service on the IWRP (e.g., a client customer requires insulin to

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF PROPOSED AMENDMENT

control his/her diabetes in order to attend training) and then only until completion of that primary service.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 590.90 Hearing Aids

Any client customer who has been determined to have a hearing disability as confirmed during the Determination of Eligibility (89 Ill. Adm. Code 553.20) and for whom the outcome of the Comprehensive Assessment of Rehabilitation Needs (89 Ill. Adm. Code 553.100) is that attainment of a hearing aid is or is expected to be a necessary service must undergo a hearing evaluation and a hearing aid evaluation.

- a) A hearing evaluation shall consist of:
  - 1) air and bone conduction testing;
  - 2) speech reception threshold;
  - 3) speech discrimination;
  - 4) most comfortable loudness level; and
  - 5) uncomfortable loudness level.
- b) A hearing aid evaluation shall consist of:
  - 1) selection of an appropriate hearing aid, based upon the outcome of the hearing evaluation (89 Ill. Adm. Code 590.90 (a));
  - 2) fitting of the hearing aid;
  - 3) adaptation and services of the hearing aid;
  - 4) testing of the hearing aid by means of an audiometer calibrated to American National Standards Institute standards (ANSI Section 3.6-1989, with no later amendments); and
  - 5) other testing allowed pursuant to 77 Ill. Adm. Code 682.300 - Hearing Aid Consumer Protection Code.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 590.100 Binaural Hearing Aids

Binaural hearing aids will be purchased for a client customer only when:

- a) the provisions listed at 89 Ill. Adm. Code 590.20 are met;
- b) the need for binaural aids is evidenced in the client's customer's audiological profile (i.e., the results of the client's customer's hearing and hearing aid evaluations); and
- c) the client's customer's ability to effectively utilize binaural hearing aids by improved discrimination ability, increased sound source identification and increased sound direction has been certified by a qualified evaluator (89 Ill. Adm. Code 590.60(c)).

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF REHABILITATION SERVICES

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## Section 590.110 Speech and Language Services

Pursuant to the provisions of 89 Ill. Adm. Code 590.20, DORS will provide speech and language pathology services (i.e., speech, language and/or dysphagia evaluations; speech, language and/or dysphagia therapy; and speech reading services) in accordance with the client's customer's long term rehabilitation goals as stated on his/her IWRP (89 Ill. Adm. Code 572).

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 590.120 Low Vision Aids Devices

Pursuant to the provisions of 89 Ill. Adm. Code 590.20, DORS will provide low vision aids devices including electronic devices (e.g., closed circuit television magnification systems).

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 590.130 Mental Restoration Services

a) Pursuant to the provisions of 89 Ill. Adm. Code 590.20, DORS will, with the exception of electro-shock treatments, provide in-patient mental restoration services from a private hospital only when the need for such services is documented in the client's customer's case file by reports from the client's customer's psychiatrist or psychologist and comparable benefits (89 Ill. Adm. Code 567.30(d)) are not timely or available.

b) In such cases, comparable benefits shall be arranged at the soonest possible time after initiation of services and DORS funding shall be withdrawn.

c) DORS shall not pay for on-going mental-restoration services (when there is no foreseeable ending date for the services) unless these services are in support of a primary service listed on the client's customer's IWRP and then only until completion of the primary service.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 590.140 Heart Surgeries

Pursuant to the provisions of 89 Ill. Adm. Code 590.20, DORS will provide heart surgery for a client customer when documentation from the client's customer's physician is contained in the client's customer's case file and indicates that the client's customer's prognosis for returning to gainful employment is good.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF PROPOSED AMENDMENT

## Section 590.150 Kidney Transplant and Related Services

Pursuant to the provisions of 89 Ill. Adm. Code 590.20, DORS shall provide kidney transplant, dialysis and artificial kidney services to a client customer diagnosed as having end stage renal failure when information contained in the client's customer's case file indicates the client's customer's prognosis for returning to gainful employment is good.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 590.160 Chiropractic Services

Pursuant to the provisions of 89 Ill. Adm. Code 590.20 chiropractic services may be provided to customers when there are no medical contraindications to spinal manipulations.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 590.170 Prosthetic and Orthotic Devices

a) Pursuant to the provisions of 89 Ill. Adm. Code 590.20, prosthetic and orthotic devices may be provided to a client customer when a physician has issued a prescription for the device:

- 1) the client customer has undergone an evaluation at an amputee clinic; or
- 2) has been evaluated by a physiatrist, orthopedist, or other qualified physician and the need for evaluation by an amputee clinic has been waived by the Rehabilitation Services Supervisor and DORS' State Program Specialist for Medical Services.

b) The evaluation by an amputee clinic referenced in (b), above, shall include an assessment of the client's customer's readiness for fitting of the device, evaluation of the fit, evaluation of the fabrication of the completed device and evaluation of the client's customer's individual training needs for the use of the device.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 590.180 Wheelchairs

Pursuant to the provisions of 89 Ill. Adm. Code 590.20, a wheelchair will be purchased for a client customer only when a prescription for the device is issued by the client's customer's physician.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF PROPOSED AMENDMENT

## Section 590.190 Prohibited Services

Under no circumstances shall DORS provide to a ~~client~~ customer:

- a) intestinal by-pass or stapling surgeries for the treatment of extreme obesity;
- b) abortions, or any associated services;
- c) transsexual services, or any associated services;
- d) organ transplants, or any related services, with the exception of Kidney Transplants and Related Services (89 Ill. Adm. Code 590.150); and
- e) any drug, therapeutic device, procedure, or surgery which has not be approved by the Food and Drug Administration of the United States Department of Health and Human Services.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SECRETARY OF STATE

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Rulemaking
- 2) Code Citation: 1 Ill. Adm. Code 100
- 3) Section Numbers: Proposed Actions:  
100.1150 Amendment  
100.Appendix A.Illustration A Amendment  
100.Appendix E.Illustration F Amendment
- 4) Statutory Authority: Implementing and authorized by the Illinois Administrative Procedure Act [5 ILCS 100]
- 5) Complete Description of the Subjects and Issues Involved: The primary purpose of the rule change is to require all agencies to submit regulatory agendas for publication in the Illinois Register by January 1 and July 1 of each year. This rulemaking establishes the procedures enacted in Public Act 88-667 as signed on September 16, 1994.
- 6) Will this proposed rule replace and emergency rule currently in effect?  
Yes
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporation by reference? No
- 9) Are there any proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: The Illinois Administrative Procedure Act now requires agencies to file for publication regulatory agendas on a semi-annual basis in order to elicit public comments concerning any rule which the agency is considering proposing but for which no notice of proposed rulemaking has been submitted.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Joseph Natale  
Index Department  
111 E. Monroe  
Springfield, IL 62756

- 12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: November 22, 1994

B) Types of small businesses affected: None

C) Reporting, bookkeeping or other procedures required for



## SECRETARY OF STATE

## NOTICE OF PROPOSED AMENDMENTS

Compliance: None

D) Types of professional skills necessary for compliance: None

The full text of the proposed amendments are identical to the text of the emergency amendments appearing on page 17275:

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Merit and Fitness
- 2) Citation: 80 Ill. Adm. Code 302
- 3) Section Number: Adopted Action:  
302.570  
Amendment
- 4) Statutory Authority: Implementing and authorized by the Personnel Code (Ill. Rev. Stat. 1991, ch. 127, par. 63b108a.2) [20 ILCS 415/8a.2]; (Ill. Rev. Stat. 1991, ch. 127, par. 63b108b.13) [20 ILCS 415/8b.13]; (Ill. Rev. Stat. 1991, ch. 127, par. 63b108b.19) [20 ILCS 415/8b.19]
- 5) Effective Date of Rules: November 21, 1994
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Do the Rules contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: November 21, 1994
- 9) Notice of Proposal Published in Illinois Register:  
August 26, 1994, 18 Ill. Reg. 12937
- 10) Has JCAR issued a Statement of Objections to the Amendments? No.
- 11) Differences between proposal and final version:  
Several minor typographical changes were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were necessary.
- 13) Will the Rules replace an emergency rule currently in effect? No.
- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of Rules:  
On August 5, 1994, proposed amendments to 80 Ill. Adm. Code 310 appeared in the Illinois Register. These amendments will provide a salary structure and salary provisions for a new classification of Public Service Administrator. The revisions to Section 302.570 are necessary to set forth the reemployment procedures to be followed for certified employees who have been laid off from either the Public Service Administrator or the Senior Public Service Administrator classifications.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES  
 SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND  
 POSITION CLASSIFICATIONS  
 CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 302  
 MERIT AND FITNESS

SUBPART A: APPLICATION AND EXAMINATION

Section	
302.10	Examinations
302.20	Time, Place, Conduct, Cancellation, Postponement and Suspension of Examinations
302.30	Veterans Preference
302.40	Announcement of Examination
302.52	Notice to Eligibles
302.55	Grading Examinations
302.60	Retaking or Regarding Examinations
302.70	Application and Eligibility

SUBPART B: APPOINTMENT AND SELECTION

Section	
302.80	Eligible Lists
302.90	Appointments
302.91	Alternative Employment
302.100	Geographic Preference
302.105	Pre-Employment Screening
302.110	Appointment From Eligible List
302.120	Responsibilities of Eligibles
302.130	Removal of Names From Eligible Lists
302.140	Replacement of Names on Eligible List
302.150	Appointment and Status
302.160	Extension of Jurisdiction B

SUBPART C: TRAINEES

Section	
302.170	Programs
302.175	Appointments
302.180	Limitations on Trainee Appointments

SUBPART D: CONTINUOUS SERVICE

Section	
302.190	Definitions
302.200	Interruptions In Continuous Service
302.210	Deductions From Continuous Service

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

16) Information and questions regarding this adopted rule shall be directed

to:

Stephen W. Seiple  
 720 Stratton Office Building  
 Springfield, IL 62706  
 (217)782-9669  
 TDD (217)785-3979

The full text of the Adopted Rules begins on the next page.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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## NOTICE OF ADOPTED AMENDMENT

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302.215 Leave of Absence for Educational Purposes  
 302.220 Veterans Continuous Service  
 302.230 Peace or Job Corps Enrollees Continuous Service  
 302.240 Accrual and Retention of Continuous Service During Certain Leaves  
 302.250 Limitations on Continuous Service

302.490 Employee Obligations  
 302.495 Salary and Other Benefits of Employee  
 302.496 Appeal by Certified Employee  
 302.497 Demotion of Other Employees  
 302.498 Status of Demoted Employees

## SUBPART E: PERFORMANCE REVIEW

## SUBPART J: VOLUNTARY REDUCTION AND LAYOFFS

Section  
 302.260 Performance Records  
 302.270 Performance Evaluation Forms

Section  
 302.500 Voluntary Reduction of Certified and Probationary Employees  
 302.505 Limitations in Voluntary Reduction  
 302.507 Definition of Layoff  
 302.510 Temporary Layoff  
 302.512 Use of Accrued Benefits During Temporary Layoff  
 302.514 Notice of Temporary Layoff  
 302.516 Return from Temporary Layoff  
 302.518 Scheduling for Temporary Layoffs  
 302.519 Deferral of Wages  
 302.520 Indeterminate Layoff Procedure  
 302.523 Voluntary Indeterminate Layoff  
 302.525 Disapproval  
 302.530 Order of Layoff  
 302.540 Effective Date of Layoff  
 302.550 Employee Opportunity to Seek Voluntary Reduction  
 302.560 Order of Preference in Voluntary Reduction  
 302.570 Reemployment Lists  
 302.580 Employment From Reemployment List  
 302.590 Removal of Names From Reemployment List  
 302.595 Laid Off Probationary Employee  
 302.596 Appeal by Employee  
 302.597 Reinstatement from Layoff  
 302.600 Resignation  
 302.610 Reinstatement

## SUBPART F: PROBATIONARY STATUS

Section  
 302.300 Probationary Period  
 302.310 Certified Status  
 302.320 Status Change in Probationary Period  
 302.325 Intermittent Status

## SUBPART G: PROMOTIONS

Section  
 302.330 Eligibility for Promotion  
 302.335 Limitations On Promotions  
 302.340 Failure to Complete Probationary Period

## SUBPART H: EMPLOYEE TRANSFERS

Section  
 302.400 Transfer  
 302.410 Intra-Agency Transfer  
 302.420 Inter-Agency Transfer  
 302.425 Merit System Transfer  
 302.430 Geographical Transfer (Agency Directed)  
 302.431 Geographical Transfer (Agency Directed) Procedures  
 302.432 Notice To Employee  
 302.433 Effective Date of Geographical Transfer (Agency Directed)  
 302.435 Employee-Requested Geographical Transfer  
 302.440 Rights of Transferred Employees  
 302.445 Transfer of Duties  
 302.450 Limitations on Transfers  
 302.460 Employee Records

## SUBPART K: DISCHARGE AND DISCIPLINE

Section  
 302.625 Definition of Certified Employee  
 302.626 Progressive Corrective Discipline  
 302.628 Prohibited Disciplinary Action  
 302.630 Disciplinary Action Warning Notice  
 302.640 Suspension Totalling Not More Than Thirty Days in any Twelve Month Period  
 302.660 Suspension Totalling More than Thirty Days in any Twelve Month Period  
 302.670 Approval of Director of Central Management Services  
 302.680 Notice to Employee  
 302.690 Employee Obligations  
 302.700 Cause for Discharge  
 302.705 Pre-Termination Hearing

## SUBPART I: DEMOTION

Section  
 302.470 Demotion  
 302.480 Notice to Employee





## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENT

also be eligible for reinstatement in accordance with Section 302.610.

(Source: Amended at 18 Ill. Reg. **17183**, effective 10/21/94)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Pay Plan

2) Code Citation: 80 Ill. Adm. Code 310

3) Section Numbers: Adopted Action:

310.495

Amended

310. Appendix G

Amended

4) Statutory Authority:

Authorized by Section 8a(2) of the Personnel Code (Ill. Rev. Stat. 1991, ch. 127, par. 63b108a.2) [20 ILCS 415/8a(2)]

5) Effective Date of Amendment: November 21, 1994

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporation by reference? No

8) Date filed in Agency's Principal Office: November 21, 1994

9) Notice of Proposal Published in Illinois Register:

August 5, 1994; Issue #31; 18 Ill. Reg. 12008

10) Has JCAR issued a Statement of Objections to this rule? No

11) Difference between proposal and final version: None.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?  
Yes.

13) Will these Amendments replace an emergency amendment currently in effect?  
Yes.

14) Are there any amendments pending to this part? Yes.

Section Numbers: Proposed Action: Ill. Reg. Citation:

310.290

Amended

18 Ill. Reg. 14256  
(September 23, 1994)

310.450

Amended

18 Ill. Reg. 14256  
(September 23, 1994)

310.490

Amended

18 Ill. Reg. 14256  
(September 23, 1994)

310.530

Amended

18 Ill. Reg. 14256  
(September 23, 1994)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 310.540 Amended 18 Ill. Reg. 14256 (September 23, 1994)
- 310. Appendix C Amended 18 Ill. Reg. 14256 (September 23, 1994)
- 310. Appendix D Amended 18 Ill. Reg. 14256 (September 23, 1994)
- 310. Appendix G Amended 18 Ill. Reg. 14256 (September 23, 1994)

15) Summary and Purpose of Amendment:

In Section 310.495, the heading for this section is being revised from Senior Public Service Administrator Class to Public Service Administrator Series. Also, salary policies currently in place for the Senior Public Service Administrator will be extended to apply to the Public Service Administrator class.

The Public Service Administrator system will include two classifications of Public Service Administrator as well as the Senior Public Service Administrator, Level I and II. The new Public Service Administrator shall be assigned the salary range of \$28,680 to \$59,500, annually, as outlined in Section 310. Appendix G.

The Public Service Administrator class will replace most titles currently assigned to the MC-08 to MC-11 salary ranges.

16) Information and question regarding these adopted amendments shall be directed to:

Name: Mr. Michael Murphy  
Address: Department of Central Management Services  
Division of Technical Services  
504 William G. Stratton Building  
Springfield, Illinois 62705

Telephone: (217) 782-5601

The full text of the Adopted Amendment(s) begins on the next page:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES  
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND POSITION CLASSIFICATIONS  
CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310  
PAY PLAN

SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes for Fiscal Year 1995
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate
310.240	Hourly Rate
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate
310.290	Out-of-State or Foreign Service Rate
310.300	Educator Schedule for RC-063 and HR-010
310.310	Physician Specialist Rate
310.320	Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
310.330	Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

Section



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

310.410	Jurisdiction
310.420	Objectives
310.430	Responsibilities
310.440	Merit Compensation Salary Schedule
310.450	Procedures for Determining Annual Merit Increases
310.455	Intermittent Merit Increase
310.456	Merit Zone
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.495	Senior Public Service Administrator <u>Class System Series</u>
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Implementation
310.540	Annual Merit Increase Guidechart for Fiscal Year 1993
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

## APPENDIX A

TABLE A	Negotiated Rates of Pay HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)
TABLE B	HR-200 (Department of Labor - Chicago, Illinois - SEIU)
TABLE C	RC-069 (Firefighters, AFSCME)
TABLE D	HR-001 (Teamsters Local #726)
TABLE E	RC-020 (Teamsters Local #330)
TABLE F	RC-019 (Teamsters Local #25)
TABLE G	RC-045 (Automotive Mechanics, IFPE)
TABLE H	RC-006 (Corrections Employees, AFSCME)
TABLE I	RC-009 (Institutional Employees, AFSCME)
TABLE J	RC-014 (Clerical Employees, AFSCME)
TABLE K	RC-023 (Registered Nurses, INA)
TABLE L	VR-004 (Illinois State Treasurer's Office Employees, Teamsters and IFP)
TABLE M	RC-110 (Conservation Police Lodge)
TABLE N	RC-010 (Professional Legal Unit, AFSCME)
TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
TABLE Q	RC-033 (Meat Inspectors, IFPE)
TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
TABLE S	HR-012 (Fair Employment Practices Employees, SEIU)
TABLE T	HR-010 (Teachers of Deaf, IFP)
TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
TABLE V	CU-500 (Corrections, Meet and Confer Employees)
TABLE W	RC-062 (Technical Employees, AFSCME)
TABLE X	RC-063 (Professional Employees, AFSCME)
TABLE Y	RC-063 (Educators, AFSCME)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

TABLE 2	RC-063 (Physicians, AFSCME)
APPENDIX B	Schedule of Salary Grades - Monthly and Annual Rates of Pay for Fiscal Year 1995
APPENDIX C	Medical Administrator Rates for Fiscal Year 1994
APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 1994
APPENDIX E	Teaching Salary Schedule (Repealed)
APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
APPENDIX G	Senior Public Service Administrator <u>Class Series</u> Salary Schedule-effective-August-167-1993

AUTHORITY: Implementing and authorized by Section 8a(2) of the Personnel Code (Ill. Rev. Stat. 1991, ch. 127, par. 63b108a(2)) [20 ILCS 415/8a(2)].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; peremptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; peremptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291,

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 111. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill.

Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 509, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6141, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg.

**17191, effective NOV 21 1994**

## Section 310.495 Senior Public Service Administrator Class Series

The Senior Public Service Administrator and the Public Service Administrator classes shall be covered by all provisions of the Merit Compensation System except for the provisions identified in the following subsections:

- Salary Range** -- The salary range for the classes within the Senior Public Service Administrator series shall be as set out in Appendix G.
- Entrance Salaries** -- The Director or chairman of the Department, Board or Commission shall review the education, training and experience of an employee to be placed in the Senior Public Service Administrator or the Public Service Administrator class and determine the employee's initial rate of pay.

1) The salary assigned an employee shall take into account the duties, education, training and experience of the employee to assure reasonable pay equity among employees in the Senior-Public Service-Administrator same class.

2) A report of the resultant rate of pay shall be provided to the Director of the Department of Central Management Services on the



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form provided for that purpose.

- 3) An entrance salary should not provide more than a 10% increase over the candidate's prior salary without the prior approval of the Director of the Department of Central Management Services.
- c) Salary Adjustments -- Salary adjustments for positions in the Senior Public Service Administrator class series may be made by the employing agency where the employee has been given substantial additional responsibilities but will remain in the same classification. An increase of between 5% and 10% of current base salary may be given where the substantial additional responsibilities are documented on an updated job description and reflected on the organization chart.
- d) Movement between Salary Systems -- Salary treatment on movement of an employee between one position in the Senior Public Service Administrator class series and another position outside of the Senior Public Service Administrator class series will be as recommended by the employing agency and approved by the Director of the Department of Central Management Services.
- e) Salary Treatment upon Initial Placement of Positions in the Senior Public Service Administrator Class -- Incumbents of any position which was in salary ranges MC-12 through MC-19 prior to reclassification into the Senior Public Service Administrator class will be placed into the range with no change in salary, unless an increase is required to take the employee to the minimum salary for the appropriate level. Upon implementation of the Senior Public Service Administrator class, employees will be assigned to pay level I, except that any employee whose current salary is more than \$63,000 or who is at a salary level of MC-15 or above prior to implementation will be assigned to level II.
- f) Salary Treatment upon Initial Placement of Positions in the Public Service Administrator Class -- Incumbents of any position which was in salary ranges MC-08 through MC-11 prior to reclassification into the Public Service Administrator class will be placed into the range with no change in salary.

(Source: Amended at 18 Ill. Reg. 17191, effective NOV 21 1994)

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**Section 310.APPENDIX G Senior Public Service Administrator Class Series Salary Schedule--Effective-August-16,-1993**

Title	Minimum Salary	Maximum Salary
Public Service Administrator	28,680	59,500
Senior Public Service Administrator, Level I	39,520	66,950
Senior Public Service Administrator, Level II	50,000	87,550

(Source: Amended at 18 Ill. Reg. 17191, effective NOV 21 1994)



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- 1) Heading of the Part: Client Service Planning
- 2) Code Citation: 89 Ill. Adm. Code 305
- 3) Section Numbers: Adopted Action:  
     305.20 Amend  
     305.30 Amend  
     305.40 Amend
- 4) Statutory Authority: Implementing the Children and Family Services Act [20 ILCS 505] and authorized by Section 5 of the Act [20 ILCS 505/5] and the Adoption Assistance and Child Welfare Act of 1980 (42 U.S.C.A. 670 et seq.).

5) Effective Date of Adopted Amendments: December 1, 1994

6) Does this rulemaking contain an automatic repeal date: No.

7) Do these amendments contain incorporations by reference? No.

8) Date Filed in Agency's Principal Office: December 1, 1994

9) Notice of Proposal Published in Illinois Register:

May 6, 1994 18 Ill. Reg. 6467

10) Has JCAR issued a Statement of Objection to these amendments? No.

11) Difference(s) between proposal and final version: All Illinois Revised Citations were deleted from the authority note and the text of the amended Sections. In the authority note [20 ILCS 505/1 et seq.] was changed to [20 ILCS 505/5]. Section 801-1 of the Juvenile Court Act was changed to Section 1-1. [750 ILCS 405/1-1] was changed to 705 ILCS 405/1-1. [750 ILCS 50/0-01] was changed to [750 ILCS 50/1].

In the definition of "delegated relative authority" subsection 305.40(d) was changed to Section 305.40(d). In the last line of this definition, the word "life" was changed to "lives".

In the definition of "minimum parenting standards" change [20 ILCS 305/1-101] to [20 ILCS 305].

Section 305.30(a)(4) - change [20 ILCS 505/1 et seq.] to [20 ILCS 505].

Section 305.40(b)(7)(A)(iv) - Delete "paragraph 1501" and replace with "Section 1". Change [750 ILCS 50/0.01] to [750 ILCS 50/1].

Section 305.40(c) - Add the word "subsection" before "(b)". Delete the

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words "not more than \$1.00 less than" and ", consent to the release of confidential information,". Change "life" to "lives".

Section 305.40(d)(7)(A), (B), and (C) - change the commas to semi-colons.

Section 305.40(d)(8) - change "as permanency goals have" to "as a permanency goal has".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

13) Will these adopted amendments replace emergency amendments currently in effect? No.

14) Are there any amendments pending on this Part? No.

15) Summary and Purpose of Adopted Amendments: The number of children who are receiving foster care services from a person who is related to them has increased steadily over the past few years. Many of these children are in stable living situations with a relative caregiver and are likely to remain in this caregiving arrangement for a number of years. The Department of Children and Family Services is creating a new permanency option called delegated relative authority to meet the needs of those children for whom it has been determined that adoption or return home are not appropriate permanency goals. Delegated relative authority will be selected as a permanency option for only those children who are in a safe and stable living arrangement, who do not have extraordinary medical, mental health, or educational needs, for whom reunification with their biological or legal parents within a one year period is highly unlikely, and whose relative caregivers have demonstrated the ability to protect the children from harm.

16) Information and questions regarding these adopted amendments shall be directed to:

Name: Jacqueline Nottingham, Chief  
Address: Office of Rules and Procedures  
 Department of Children and Family Services  
 406 East Monroe, Station # 222  
 Springfield, Illinois 62701-1488

Telephone: (217) 524-1983  
TDD: (217) 524-3715

The full text of the adopted amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES  
 CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
 SUBCHAPTER a: SERVICE DELIVERY

## PART 305

## CLIENT SERVICE PLANNING

Section	Purpose
305.10	Definitions
305.20	Introduction to Client Service Planning
305.30	Types of Permanency Goals and Alternative Permanency Options
305.40	Service Plan
305.50	Case Review System
305.60	Roles and Responsibilities of the Administrative Case Reviewer
305.70	Decision Review
305.80	Parent-Child Visitation
305.90	Evaluating Whether Children in Placement Should Be Returned Home
305.100	Termination of Parental Rights
305.110	Planning for the Termination of Services
305.120	The Department's Role in the Juvenile Court
305.130	Compliance With the Client Service Planning Requirements
305.140	

**AUTHORITY:** Implementing and authorized by Section 5 of the Children and Family Services Act [20 ILCS 505/5], Section 7.1 of the Abused and Neglected Child Reporting Act [325 ILCS 5/7.1], the Adoption Assistance and Child Welfare Act of 1980, amending Section 475 of the Social Security Act (42 U.S.C. 675 (1991)), Section 1-1 of the Juvenile Court Act [705 ILCS 405/1-1], and Section 1 of the Adoption Act [750 ILCS 50/1].

**SOURCE:** Adopted and codified at 5 Ill. Reg. 14456, effective December 29, 1981; amended at 8 Ill. Reg. 21570, effective November 1, 1984; amended at 9 Ill. Reg. 7920, effective May 31, 1985; recodified at 16 Ill. Reg. 12772; amended at 16 Ill. Reg. 16552, effective October 19, 1992; amended at 18 Ill. Reg. 17202, effective DEC 1 1994.

## Section 305.20 Definitions

"Abandonment" means parental conduct which demonstrates the purpose of relinquishing all parental rights and claims to the child.

"Administrative case review" means a review open to the participation of the parents of the child, conducted by a panel of appropriate persons at least one of whom is not responsible for the case management of, or the delivery of services to, either the child or the parents who are the subjects of the review.

"Children for whom the Department is legally responsible" means children for whom the Department has temporary protective custody,

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custody or guardianship via court order, or children whose parent(s) have signed an adoptive surrender or voluntary placement agreement with the Department.

"Delegated relative authority" means the Department has selected a relative caregiver, in accordance with Section 305.40(d), as a continuous, stable living arrangement for related children and has delegated day to day decision making on behalf of those children to the relative caregiver. The Department would retain guardianship of the children and continue to exercise authority over all major decisions which affect their lives and health.

"Department client" means a child or a family who is receiving child welfare services either directly from the Department or through a purchase of service provider.

"Desertion" means parental conduct which evidences an intention to permanently terminate custody of a child, but not to relinquish all parental rights, claims and responsibilities.

"Discharge planning" means service planning which focuses on providing a smooth transition from Department guardianship or custody and the receipt of child welfare services to discharge from guardianship or custody and the termination of child welfare services.

"Individual treatment plan (ITP)" or "treatment plan" as defined in 59 Ill. Adm. Code 132, Medicaid Community Mental Health Services, means a written document developed by the appropriate service provider staff with the participation of the client with a mental illness and, if applicable, the client's guardian, which specifies the client's diagnosis, problems, and service needs to be addressed, the intermediate objectives and long-term goals for the services and the planned interventions for achieving these goals.

"Individualized Education Plan/Program (IEP)" means the document prepared by the local school district, as a result of a Multidisciplinary Conference, that identifies the specific special education services that will be provided to the child. The IEP also includes education goals, services, frequency, quantity and duration. IEP is further defined in 23 Ill. Adm. Code 226, Special Education.

"Individualized Family Service Plan (IFSP)" means a written working document developed for each child in order to facilitate the provisions of Early Intervention (EI) services. The IFSP is created by the family, an inter-disciplinary team, the core EI agency, and the case manager (service coordinator). The EI agency is responsible for coordinating the IFSP implementation.

"Minimum parenting standards" means that a parent or other person

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responsible for the child's welfare sees that the child is fed, clothed appropriately for the weather conditions, provided with adequate shelter, protected from severe physical, mental and emotional harm, and provided with necessary medical care and education required by law. A parent who has abandoned a child, deserted a child for three months, or failed to demonstrate a reasonable degree of interest, concern, or responsibility as to the welfare of a newborn child for 30 days after birth is deemed to have failed to have met the minimum parenting standards. In addition, a parent who is addicted to alcohol or who is a drug addict, as defined in the Illinois Alcoholism and Other Drug Dependency Act ~~4111-R~~ ~~Rev. Stat.~~ ~~1991~~ ~~ch. 111-127-par. 635-1-37~~ [20 ILCS 305] and who has consistently failed to cooperate in a rehabilitation program for a period of at least twelve months is deemed to have failed to have met the minimum parenting standards unless the child's safety and well-being have been ensured despite the parent's addiction.

"Parents" means the child's legal parents whose rights have not been terminated and adoptive parents. Putative fathers are considered legal parents when paternity has been acknowledged in writing or adjudicated in court.

"Permanency goal" means the continuous living arrangement which the Department deems desirable for and available to the child. A permanent legal status is usually a component of the permanency goal. The means for attaining a permanency goal as well as the goal itself can change as the child's developmental and emotional needs change or as the child's and family's circumstances change.

"Permanency option" means a placement which provides a continuous, stable living arrangement for the child, but does not necessarily provide a permanent living arrangement or a permanent legal status for the child. Permanency options may serve as steps to the ultimate achievement of a permanency goal.

"Permanent family placement" means placement in a foster family home or a relative home which is intended to last until the child reaches age 21 or until the child is capable of self-sufficiency. The Department may retain guardianship of the child, or the foster parent or relative may take guardianship of the child.

"Permanent legal status" means a legally binding relationship between a child and a family as established by birth or by a court of law.

"Rehabilitative services plan." A written plan developed in accordance with 59 Ill. Adm. Code 132.155, Medicaid Community Mental Health Services, which includes identification of the problems to be addressed, the rehabilitative services to be provided and the outcomes to be achieved for eligible clients served by the Department pursuant

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to the Abused and Neglected Child Reporting Act, the Children and Family Services Act or the Juvenile Court Act of 1987.

"Service plan" means a written plan on a form prescribed by the Department which guides all participants in the plan toward the permanency goals for the children.

"Substitute care" means the care of children who require placement away from their families. Substitute care includes foster family care, care provided in an approved relative home, care provided in a group home, and care provided in a child care or other institution.

"Termination of parental rights" means a court order which relieves the legal parents of parental responsibility for the child and revokes all legal rights with respect to the child. The termination order also frees the child from all obligations of maintenance and obedience with respect to the legal parents.

(Source: Amended at 18 Ill. Reg. 17200, effective DEC 01 1994.)

## Section 305.30 Introduction to Client Service Planning

## a) Principles of Client Service Planning

1) Client service planning is an on-going process that must begin with an assessment of client need in relation to Department service mandates and must include periodic reassessment of such needs in light of the services provided, the permanency goal or an alternative permanency option, and the progress toward achieving the goal or option.

2) Case planning must ensure accountability on the part of clients, the Department and other service providers through written documentation of expectations and obligations. This documentation should include:

- A) a desired permanent living arrangement for each child served that is recorded in the service plan as a permanency goal or permanency option;
  - B) identification of problems that must be resolved to achieve this status, including, when applicable, achievement of minimum parenting standards;
  - C) identification of measurable changes or outcomes that will signify problem resolution;
  - D) identification of what the Department and other service providers will provide toward achieving the desired permanent living arrangement;
  - E) identification of applicable timeframes; and
  - F) identification of any consequences to the client if the timeframes are not met.
- 3) Although the Department maintains ultimate responsibility for the



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service plan, case planning must be an inclusive process in which all of the participants in a case (parents, children, service providers) are given the opportunity to have input.

- 4) Case planning activities, including development of the service plan and case review, reflect and must be consistent with federal and State requirements, e.g., 42 U.S.C. 675 (1991) and the Children and Family Services Act (431r-Rev-Stat-1991--ch--237 par-5006a) [20 ILCS 5051].

## b) The Need For a Permanent, Secure and Nurturing Home

- 1) The Department recognizes that children need permanent, secure, and nurturing homes for healthy psychological development in order to mature to stable adulthood. Therefore, the Department strives to preserve family life and to stabilize children's homes, whenever possible, and to assist in the solution of problems which are likely to result in the abuse, neglect, or exploitation of children.

- 2) When children and families must be separated to reduce or prevent harm to the children, the Department strives to reunite families as quickly as is consistent with the children's safety and well-being. ~~infrequently~~ Sometimes, children and families cannot be reunited because the parents are unable or unwilling to care for the children and therefore cannot achieve the minimum parenting standards. When this occurs the Department strives to find other permanent homes for children.

## c) The Child's Sense of Time and The Importance of Aggressive Planning

- 1) The Department recognizes that children have a different sense of time than adults. What seems like a short family disruption or a brief separation to adults may be a very painful and intolerably long period for children. In general, younger children are less able to tolerate periods of separation than older children. For this reason, the Department shall act promptly using the best information available when dealing with children and their families.

- 2) The Department believes that aggressive planning with an emphasis on decision making, followed by the actions needed to carry out those decisions, will secure permanent homes for children. Therefore, the Department requires service planning directed toward a permanency goal beginning from the earliest contacts with children and families. Through service planning the Department strives to assure that children are in permanent homes as quickly as is consistent with their safety and well-being while recognizing the urgency caused by the child's sense of time.

## d) The Use of Outside Consultation

- 1) The Department recognizes the gravity of the decisions that must be made and, recognizing the urgency caused by the child's sense of time, the importance of acting deliberatively, yet promptly, on each case. Therefore, the Department strives to consult professionals and agencies outside the Department and to seek a

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balance of opinions from the following public and private agencies, when appropriate:

- A) health, education and social service agencies;  
B) law enforcement agencies; and  
C) other agencies, organizations, or programs which provide or are concerned with human services.

- 2) This consultation allows Department staff to attain a broad perspective on the alternatives available to children and families and on the potential impact of these alternatives on the lives of the children and families served.

## e) The Critical Decisions

- 1) Although all Department decisions affecting children and families are important, the Department identifies the following decisions as the most critical ones affecting children and families:

- A) deciding whether to remove children from the home of their parents or whether services can prevent placement away from their parents;  
B) deciding whether to return children to the home of their parents from a placement away from their parents;  
C) deciding whether to decrease the frequency or the duration of parent-child visits and whether the visits should be supervised;  
D) deciding whether to change children's placements;  
E) deciding whether parental rights should be terminated and an alternate permanent home sought; and  
F) deciding if children are prepared for partial or total independence.

- 2) When making a critical decision, any opinions or recommendations from professionals or agencies outside the Department shall be carefully weighed. In addition, the Department requires the participation of children and families in service planning and decision-making to the greatest extent possible.

(Source: Amended at 18 Ill. Reg. **17200**, effective **DEC 01 1994**)

## Section 305.40 Types of Permanency Goals and Alternative Permanency Options

- a) The Department shall consider the recommendations of the purchase of service providers, if any, and shall select permanency goals or alternative permanency options for the children and families it serves in order to guide service planning and achieve permanent homes for children. The Department shall ensure that services provided to children and families move them toward the permanency goals or alternative permanency options. The permanency goals are:

- 1) Remaining at Home;  
2) Returning Home;  
3) Adoption;  
4) Permanent Family Placement

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- A) with an unrelated foster family;
  - B) with relatives;
  - 5) Independence;
  - 6) Long Term Care in a Residential Facility; and
  - 7) Substitute Care Pending Court Decision Regarding Termination of Parental Rights.
- b) When selecting a permanency goal, the Department shall use the criteria in this Section.
- 1) Remaining at Home  
Remaining home with their parents is the preferred goal when the child's safety and well-being are not clearly endangered if allowed to remain at home. This permanency goal is consistent with the Department's service goal of family preservation. It emphasizes the importance of keeping families together and also stresses that the family is primarily responsible for caring for the child. In addition, this permanency goal is usually the least disruptive to family life.
  - 2) Returning Home  
A) Returning children to their parent's homes is the preferred goal for children who have been placed in substitute care away from their parents. This permanency goal is consistent with the Department's service goal of family reunification. It reinforces the family's responsibility to care for their children and maintain the family relationship. Furthermore, this permanency goal is usually the least traumatic alternative for both the families and children. Returning home should be established as the permanency goal:
    - i) when the parents appear to have the capability to attain the minimum parenting standards with the aid of family reunification services; and
    - ii) when the parents are cooperative with the Department and its purchase of service providers, if any, and want to resolve the problems.
  - B) Returning home should be continued as the permanency goal as long as the parents are substantially complying with the requirements of the service plan and are progressing satisfactorily toward the permanency goal.
  - 3) Adoption  
Adoption is the preferred permanency goal when parental rights have been terminated on a child. This permanency goal is to be established only:
    - A) after both parents have signed adoptive surrenders; or
    - B) after a court has terminated the parental rights of both parents and has designated the Department as guardian with the power to consent to the child's adoption; or
    - C) after one parent has signed an adoptive surrender and parental rights have been terminated on the remaining parent through court action; or
    - D) when one parent has signed an adoptive surrender and the

identity and/or the whereabouts of the remaining parent is unknown, and the Department expects the parental rights of the remaining parent to be terminated through court action; and

E) the child, if 14 years of age or over, consents to the adoption.

## 4) Permanent Family Placement

- A) Although a permanent family placement is more desirable than a series of short-term placements, it is not a preferred permanency goal for the child. Without the legal safeguards offered by a permanent legal guardian, a permanent family placement may fail to provide the child with a sense of belonging and permanency. A permanent family placement is the permanency goal only:
  - i) when to return the child home is not consistent with ensuring the child's safety and well-being; and
  - ii) when the child, if 14 years of age or older, clearly does not want to be adopted or the child, if under age 14, has been provided counseling to help him accept another family, but continues to be unable to accept another family; or
  - iii) the child is otherwise deemed unadoptable.
- B) The Department shall strive to assure continuity of care, a sense of permanency, and emotional support for the child by establishing the child's permanent caretaker as the legal guardian of the child. However, taking legal guardianship is not required for the placement to be considered permanent.
- C) When weighing the advantages of a permanent family placement with relatives against the advantages of a permanent family placement with an unrelated foster family, the quality of the relationship between the relatives, the child, the child's parents, and the child's foster parents, if any, shall be a factor. In addition, other factors shall be the likelihood of establishing a permanent legal relationship between the child and the relative as compared to the likelihood of establishing a permanent legal relationship between the child and the unrelated foster parents.
- 5) Independence  
Independence may be a goal for adolescents 16 years of age or older who have demonstrated the ability to care for themselves, who do not wish to be adopted, who are becoming economically self-sufficient, or who are establishing a family of their own. When the child becomes 18, the child must cooperate according to his service plan. If the child 18 years of age or over does not cooperate, the Department may seek to terminate services and seek to end its legal relationship with the child.
- 6) Long-Term Care in a Residential Facility
  - A) A very small percentage of children served by the Department



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are determined severely physically, mentally, or emotionally handicapped by a physician, psychiatrist, or other professional qualified by education or experience to make this judgment. These children require long term care, usually in an intermediate or skilled nursing facility, or in a child care institution. They are expected to continue to need this care in the foreseeable future. For these children, long-term care in a residential facility is the permanency goal.

B) These severely physically, mentally, or emotionally handicapped children who require long-term care should not be confused with children who are in group homes or institutions in order to receive intensive, short-term treatment directed toward correcting problems which significantly interfere with life outside the institution. Long-term care in a residential facility is not an appropriate permanency goal for children who are receiving short-term, intensive services in a group home or institution.

#### 7) Substitute Care Pending Court Decision Regarding Termination of Parental Rights

A) Substitute care pending court decision regarding termination of parental rights is the preferred permanency goal when a decision has been made to pursue termination of parental rights. This goal is to be established only when:

- i) Efforts to reunite the child and biological or legal family have been unsuccessful as documented in the case record; or
- ii) The evaluations of at least two professionals must find the parent(s) have a chronic incapacity which will not respond to rehabilitation and which makes it clearly improbable that the parents will attain minimum parenting standards. These professionals must be qualified by their education or experience in the fields of psychiatry, psychology, social work, developmental disabilities, chemical dependency, or other specialized areas of knowledge relevant to the pending issue. These evaluations shall weigh whether the parents can attain the minimum parenting standards (established by the Department) after considering the public, private and extended family resources which can assist the parents with caring for the children; and
- iii) The child, if 14 years of age or older, is in agreement with the plan to pursue termination of parental rights; and
- iv) Department legal staff determine if there is sufficient evidence to pursue termination of parental rights in accordance with **paragraph-1501 Section 1 (D)**

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of the Adoption Act (~~1991-Rev.~~ Stat.:1991-chr-407 ~~par-1501~~) [750 ILCS 50/11].

B) This goal shall continue as the permanency goal until such time as the court has granted or denied termination of parental rights, or until such time as a degree of progress is noted in the parent(s) situation which would require an evaluation of, and possible change in the established permanency goal pursuant to Sections 305.50 and 305.60.

C) If the court grants termination of parental rights, this goal shall be changed to adoption. If the termination of parental rights petition is denied, another permanency goal shall be selected.

#### c) Permanency Options

In addition to the permanency goals identified in subsection (b) above, the Department also recognizes delegated relative authority as an alternative permanency option which does not provide the legal status of a permanency goal, but does allow the child to be placed in a stable, continuous living arrangement. When delegated relative authority is selected as a permanency option, the relative caregiver shall continue to receive payments for the care of the child which shall equal the foster care rate in effect when authority for the child's care was delegated to the relative. Administrative case reviews shall continue to be conducted at least every six months. Permanency review hearings shall continue to be held as required by law, and parent/child visits shall continue, as appropriate. The Department retains guardianship of the child and the authority to make all major medical consents and other major decisions which affect the related children's lives and health.

d) Delegated relative authority may be selected as a permanency option for the following types of cases:

- 1) the children have been living with a related caregiver who has been approved under 89 Ill. Adm. Code 335, Relative Home Placement, or licensed under 89 Ill. Adm. Code 402, Licensing Standards for Foster Family Homes, and the children have remained with the related caregiver for a minimum of one year immediately prior to establishing delegated relative authority;
- 2) the children have been in the guardianship of the Department for at least six months immediately prior to establishing delegated relative authority;
- 3) the children do not have extraordinary medical, mental health, or educational needs which require targeted case management services;
- 4) the relative caregivers have demonstrated the willingness and ability to protect the children from persons who may harm them;
- 5) the relative caregivers have demonstrated the willingness and ability to appropriately control and supervise visits and contacts between the children and their biological or legal parents, in accordance with the service plan developed by the Department;



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- 6) the relative caregivers have a safe and stable home environment which poses no danger to the related children;
- 7) the Department has documented that reunification with the biological or legal parents within a one year period is highly unlikely for reasons such as:
- A) long-term parental incarceration; or
  - B) chronic and serious mental illness; or
  - C) serious physical or mental incapacity; or
  - D) addition to drugs or alcohol which is not responding successfully to treatment; or
  - E) other significant barriers to returning the children home within one year;
- 8) adoption or private guardianship as a permanency goal has been determined to be not in the best interests of the related children; or
- 9) other circumstances as the Department may determine to be appropriate.

(Source: Amended at 18 Ill. Reg. 17200, effective DEC 01 1994)

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- 1) Heading of the Part: Technology Advancement and Development Act Programs
- 2) Code Citation: 14 Ill. Adm. Code 545
- 3) Section Numbers: Adopted Action:  
 545.420 Amendment  
 545.430 Amendment  
 545.440 Amendment  
 545.450 Amendment  
 545.460 Amendment  
 545.470 Amendment  
 545.480 Repealed  
 545.490 Repealed  
 545.495 Amendment
- 4) Statutory Authority: Implementing and authorized by Ill. Rev. Stat. 1991, ch. 127, par. 3701-1 et seq. [20 ILCS 706/1001].
- 5) Effective Date of Amendments: November 17, 1994
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Do these amendments contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: November 4, 1994.
- 9) Notice of Proposal Published in Illinois Register: July 22, 1994 (18 Ill. Reg. 11411).
- 10) Has JCAR issued a Statement of Objections to these amendments? No.
- 11) Differences between proposal and final version: The following changes were made in response to comments received from the Administrative Code Division:  
 In the Table of Contents, "Repealed" was inserted following the headings for Section 545.480 and 545.490.  
 Subpart E was inserted in the heading before Section 545.420.  
 Section 545.420, "capitalization" was placed in the proper alphabetical order.  
 Section 545.440 (a) and (c); Section 545 (a)(1) and (a)(2), "of this Section" was inserted following the subsection reference.  
 Section 545.460 (a)(2), the Ill. Rev. Stat. citation was deleted and updated with the ILCS citation enclosed in brackets.

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Section 545.470, the label "(a)" was stricken-over and the underlined paragraph was moved to the left margin as an opening paragraph.

In addition, the Second Notice Changes recommended by the Joint Committee on Administrative Rules (attached) were made in the rulemaking.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Not Applicable.

13) Will these amendments replace an emergency amendment currently in effect? No.

14) Are there any amendments pending on this Part? No.

15) Summary and Purpose of Amendments: The current State-administered rules must be updated in order to establish an application process to fund individual business projects, reduces paperwork requirements and provides for on-going application processing.

These rules will provide Development Corporations with additional opportunities for financial assistance, will ensure a better utilization of available revolving loan funds and will open additional delivery systems through financial intermediaries for small businesses seeking financial assistance.

16) Information and questions regarding these adopted amendments shall be directed to:

Mr. Norman Sims, Deputy Director  
Bureau of Community Development  
Department of Commerce and Community Affairs  
620 East Adams Street, 5th Floor  
Springfield, Illinois 62701  
Telephone Number: (217) 785-6174  
T.D.D. Number: (217) 785-6055

The full text of the Adopted Amendments begins on the next page:

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## TITLE 14: COMMERCE

## SUBTITLE C: ECONOMIC DEVELOPMENT

## CHAPTER I: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## PART 545

## TECHNOLOGY ADVANCEMENT AND DEVELOPMENT ACT PROGRAMS

## SUBPART A: TECHNOLOGY CHALLENGE GRANT PROGRAM

Section	
545.10	General Purposes
545.20	Definitions
545.25	Incorporation by Reference
545.30	Program Responsibilities
545.40	Eligible Applicants
545.50	Application Process
545.60	Review of Applications
545.70	Program Administration Requirements

## SUBPART B: TECHNOLOGY VENTURE INVESTMENT PROGRAM

Section	
545.110	Purpose
545.120	Definitions
545.130	Application Cycle
545.140	Application Review
545.150	Application Documentation
545.160	Application Evaluation
545.170	Funding
545.180	Selection for Funding
545.190	Allowable Leverage
545.195	Administrative Requirements

## SUBPART C: BUSINESS MODERNIZATION RETOOLING LOAN PROGRAM

Section	
545.210	Purpose
545.215	Definitions
545.220	Eligible Businesses
545.225	Eligible Uses of Loan Funds
545.230	Application Documentation
545.235	Application Evaluation
545.240	Selection for Funding
545.245	Funding Waivers
545.250	Allowable Leverage
545.255	Loan Agreement
545.260	Loan Terms
545.265	Loan Security
545.270	Maintenance and Insurance of Property

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545.275 Administrative Requirements  
 545.280 Audits  
 545.285 Termination of Loan  
 545.290 Events of Default

## SUBPART D: BUSINESS MODERNIZATION ASSESSMENT GRANT PROGRAM

Section  
 545.310 Program Purpose and Mission  
 545.315 Definitions  
 545.320 Eligible Grant Categories  
 545.325 Eligible Businesses  
 545.330 Application Requirements  
 545.335 Applicant Process  
 545.340 Application Evaluation Standards  
 545.345 Selection Criteria  
 545.350 Grant Limitations  
 545.355 Administrative Standards for Grant Recipients  
 545.360 Project Reporting  
 545.365 Modification, Suspension and Termination of Grant

## SUBPART E: DEVELOPMENT CORPORATION PROGRAM

Section  
 545.410 Program Purpose  
 545.420 Definitions  
 545.430 Applications  
 545.440 Application Review Process  
 545.450 Financial Assistance  
 545.460 Administrative Standards  
 545.470 Financial Assistance Standards  
 545.480 Audits (Repealed)  
 545.490 Modification, Suspension and Termination of Financial Assistance (Repealed)  
 545.495 General Terms Governing Relending

AUTHORITY: Implementing and authorized by the Technology Advancement and Development Act (Ill. Rev. Stat. 1991, ch. 127, par. 3701-1 et seq.) [20 ILCS 700] (see Public Act 88-453).

SOURCE: Emergency rules adopted at 13 Ill. Reg. 19753, effective December 1, 1989, for a maximum of 150 days; emergency expired April 30, 1990; adopted at 14 Ill. Reg. 9016, effective May 29, 1990; amended at 15 Ill. Reg. 15040, effective October 4, 1991; amended at 18 Ill. Reg. 8415, effective May 23, 1994; amended at 18 Ill. Reg. 17213, effective NOV 17 1994.

Section 545.420 Definitions

"Business Project" means any specific economic development activity of

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a commercial, industrial, manufacturing, agricultural, scientific, financial, service or other nature, which is expected to yield an increase in jobs or to result in the retention of jobs or an improvement in "Production Efficiency" (Section 1003(c) of the Act).

"Business Project Expense" includes costs incurred for research and development; amortizable organizational costs; working capital financing, the purchase or lease of machinery and equipment and tooling, or the lease or purchase of real property, including construction, renovation, or leasehold improvements, but does not include refinancing debt (Section 1003(b) of the Act).

"Development Corporation" means any public or private Development Corporation whose mission or mandate includes promoting, encouraging or financing business modernization and retooling or adoption and implementation of new production equipment, process or technologies, including banks and bank holding companies, community development corporations, state development credit corporations, regional development authorities authorized to do business by an act of this state, loan partnerships, loan consortiums, or other financial intermediary.

"Capitalize" means invest, purchase stock or purchase qualified security investments in a Development Corporation or provide equity funding for a revolving loan fund in a Development Corporation.

"Capitalization" means the activity, funding or process used to capitalize a Development Corporation.

"Financial Assistance" means a loan or a grant or the purchase of qualified securities or other means whereby financial aid is made to or on behalf of a development corporation (Section 1003(f) of the Act).

"Qualified Security Investment" means any stock, convertible security, treasury stock, limited partnership interest, certificate of interest or participation in any profit sharing agreement, preorganization certificate or subscription, transferable share, investment contract, certificate of interest or participation in a patent or application of interest or in general, any interest or instrument commonly known as a "security" or any certificate for, receipt for, guarantee of, or option, warrant or right to subscribe to or purchase any of the foregoing, but not including any instrument which contains voting rights or which can be converted to contain voting rights in the possession of the department (Section 1003(i) of the Act).

(Source: Amended at 18 Ill. Reg. 17213, effective NOV 17 1994)



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## Section 545.430 Applications

## a) Application Availability

1) Applications for financial assistance will be made available on an annual ongoing basis if provided sufficient monies are allocated available for the program. Upon request, the Department will supply potential applicants with an application package.

2) Any Development Corporation as defined in Section 545.420 is eligible to apply for financial assistance to set up (e.g., organize, incorporate, establish by-laws, policies, procedures, start-up, etc.) and/or operate Capitalize a Developmental Corporation or fund a business project under this program. Such applicants must submit an application on forms provided by the Department. A standard Standard application form will be used statewide.

3) Public notice--of--the--availability--of--applications--and--the application--due--date--will--be--published--in--the--state--recognized newspaper--Applications--will--be--due--on--the--deadline--as--determined by--the--Department--The--due--date--will--be--no--sooner--than--45 calendar--days--after--the--public--notice

## b) Program Application -- Applications for financial assistance from the Department must address the following items:

1) History of Applicant -- Provide a brief history of the Development Corporation, legal status (i.e., stock corporation, not-for-profit, general unit of government, etc.), board structure, office location, etc.--as--a--separate--attachment--Provide proof of authority to operate including, as appropriate, articles of incorporation, bylaws, and a resolution of the Board to participate.

2) Mission and Goals -- Fully describe the public purpose being served by the Development Corporation which must include financing and promoting the adoption of advanced technologies, the major objectives of the proposed Development Corporation and how it will meet these objectives.

3) Local Market Needs -- Identify the geographic area to be served by the Development Corporation and the typical borrowers to be served (e.g., beneficiaries of the Development Corporation's lending). Identify problems or weaknesses in the ability of conventional lenders to serve the Development Corporation's typical borrower and the primary business financing needs that will be addressed. Include a profile of the Development Corporation's target area, for example county, multi-county area, statewide, etc.

4) Financial Products and Services -- Describe the specific financial products and financial services to be offered. This should include the type of lending and equity to be offered, term of lending to be provided, minimum and maximum amounts, if any, on loans outstanding to individual firms, etc. If the Development Corporation is recently formed, include the timetable for

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## implementation.

5) Results Expected -- Describe anticipated public benefits resulting from the Department's financial assistance in terms of retooling or modernization, jobs created or retained, etc.

6) Staffing and Management -- Provide a description of how and by whom the Development Corporation will be managed and staffed including specific information on board membership. Describe anticipated federal or state agency regulatory oversight activities of the Development Corporation's activities.

7) Operating Procedures and Strategies -- Describe how the Development Corporation will be operated, proposed location of offices and/or facilities, marketing of corporate services, etc. Describe the corporate decision making process for making business loans and other types of investments, due diligence process and credit analysis procedures to be used, and application procedures to assure prudent operation of the lending and investment activity. Minimally, these service delivery strategies must be adequate to address relending requirements outlined in Section 545.495.

8) Coordination and Community Involvement -- Provide a description of the primary working relationships with public and private entities, such as local state and federal financial institutions, venture capital partnerships, public or non-profit development agencies, etc. Describe community involvement in the Development Corporation referral process (if any).

9) Capitalization -- Provide a summary of financial projections, anticipated sources of operating income, the amount of Development Corporation capitalization and the expected funding needs of the Development Corporation. Specifically, include the nature and amount of bank and other corporate investment, and major stockholders or shareholders and percent of ownership. For a new Development Corporation, include a detailed timetable for securing all initial corporate financing.

10) Budget Request -- Identify the amount of funds being sought from the Department. The request should also detail the type of funding requested (loan, grant or security investment), how it will be secured and repaid, and how it will be used (direct lending, etc.) and the anticipated schedule (timing) for using Department funds. If Departmental monies are to be used for organizational or--administrative costs, the amount should be noted, and justification should be provided.

c) Subsequent Applications -- Applications for capitalization by Development Corporations that have received set up or capitalization financial assistance under this program may incorporate by reference and update the previously submitted information to meet the requirements of subsection (b) of this Section.

d) Business Project Applications -- Applications for financial assistance to fund specific business projects must include the applicable project information required in Section 545.495. Development Corporations

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that have not previously received financial assistance under this program may also be required to provide applicable information from subsections (b)(1), (7) and (9) of this Section.

(Source: Amended at 18 Ill. Reg. 17213, effective NOV 17 1994)

## Section 545.440 Application Review Process

- a) Department staff will screen all applications to determine that all minimum requirements of the application package have been addressed. Applications will be reviewed in accordance with Department review criteria listed in subsection (b), (c) or (d).
- b) A request for financial assistance to set up and/or capitalize operate a Development Corporation will be evaluated on in accordance with the requirements of this Part. The review of applications will begin after upon receipt of the application due-date-and-take-no-more-than-75 working-days-with-financial-assistance-awards-being-announced-at-the-end-of-that-period. Applicants will be advised of the Department's decision in writing. Applications will be evaluated on the basis of:
  - 1) The extent-of-economic-distress-and-unemployment-in-the-area-to-be-served--the nature of financial needs of the area and the geographic diversity of the applicants;
  - 2) The capability of the applicant and its staff as demonstrated by existing or past experience in managing similar work activities to those proposed to be undertaken;
  - 3) Time schedule for project initiation, etc. indicating the level of project readiness;
  - 4) Actual or anticipated amount of capitalization, extent of leveraging of other financial resources and consistency of proposed items of expenditure with the requirements of the Act;
  - 5) The merits of the proposed work plan and consistency of proposed activities with requirements of Section 545.495;
  - 6) The level of economic development results expected in terms of development financing, retooling or modernization, jobs created or retained, private funds leveraged, etc. and level of other significant benefits or impacts;
  - 7) Evidence of direct linkages or coordination between the proposed program and private financial institutions and public investment/loan/guarantee programs;
  - 8) The anticipated financial feasibility of the project and its ability to maintain continuous operation beneficial to the public as-determined-by-anticipated-operational-costs-of-less-than--or-equal-to-anticipated-income-or-the-availability-of-equity-to-cover-any-shortfalls-based-on-the-company's--historical--and-projected-financial-statements; and
  - 9) Level of performance by applicant under previous Departmental programs, if applicable.
- c) Subsequent Applications - Review of subsequent application(s) for

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capitalization may utilize and appropriately update the previous review(s) made of the information submitted by a Development Corporation to meet the requirements of subsection (b) of this Section.

- d) Business Project Applications - Applications for financial assistance to fund specific business projects will be reviewed to determine that all minimum requirements of the application package have been addressed and that funding the projects will meet the purposes of the Act.
- e) Upon--selection--the Department will notify successful applicants of the amount of financial assistance--if any--which may--be--used--to set-up-and-operate--the-Development-Corporation approved. During formal negotiation discussions held with the Department, the Department and the applicant will agree to the scope-of-work-of-the-agreement-and-the period terms of the agreement. The Department will issue an award letter--and--will--issue--an agreement, for signature by the applicant. Subject to negotiation, the Department may limit the amount of time such funds which will be available for the use by the Applicant.

(Source: Amended at 18 Ill. Reg. 17213, effective NOV 17 1994)

## Section 545.450 Financial Assistance

- a) Financial Assistance Limits --
  - 1) A- Department Financial Assistance to a Development Corporation in the form of a--loan loan(s) and/or qualified security investment(s) shall not be made for more than \$500,000--or--for more--than 25 percent of the amount of actual or anticipated initial capitalization, not including any funds originating from state or federal sources through the Department, unless the Director of the Department determines that a waiver of these this limit limits in accordance with subsection (b) is required to meet the purposes of the Act.
  - 2) Department Financial Assistance to a Development Corporation in the form of a loan or qualified security investments investment for an-eligible-applicant relending or investing in a particular qualified business project shall not be made for more than \$500,000--and--shall--not--be--made--for--more--than 25 percent of the amount of initial-capitalization the total business project expense and must be matched at least 1:1 by the Development Corporation's capitalization (equity or debt), not including any funds originating from state or federal sources through the Department, unless the Director of the Department determines that a waiver of these limits in accordance with subsection (b) is required to meet the purpose of the Act.
  - 3) Department Financial Assistance to a Development Corporation in the form of a grant shall not be made for more than \$500,000 or \$50,000 or more than 25 percent of the amount of actual or



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anticipated fixed (i.e., permanent) capitalization, not including any funds originating from state or federal sources through the Department, unless the Director of the Department determines a waiver is required to meet the purposes of the Act.

- 4) Development Corporations that have received capitalization grants shall subsequently be limited to financial assistance in the form of loans and/or qualified security investments unless the Director of the Department waives this limitation.

- 5) The Department may limit the amount of financial assistance available to any Development Corporation.

- b) Funding Waivers -- The Director shall waive limitations governing the amount of the financial assistance and percentage of leverage when it is determined that these funding limitations would prohibit an otherwise approved project, and subsequent job creation/retention, from occurring. A project with a higher ratio will be considered for Financial Assistance. A waiver may be granted if the application demonstrates severe need, including, but not limited to a demonstration that:

- 1) The Development Corporation or business project serves a distressed community, county, or multi-county area with an unemployment rate which is 25 percent higher than the state's average;
- 2) The area to be served has limited economic development potential without support as evidenced by new job growth rate less than the state or national average;
- 3) Funding would support a Development Corporation which has provided assurance the project will generate business growth and job creation in the community as a result of spinoff businesses and thus evidence that additional jobs will be created or retained.

(Source: Amended at 18 Ill. Reg. **17213**, effective **NOV 17 1994**)

## Section 545.460 Administrative Standards

## a) Grants

- 1) Financial Assistance Agreement -- During formal negotiations and discussions held with the Department, the Department and the applicant will agree to the scope of work of the agreement and the period of the agreement, which The period of funding for grant agreements shall be no longer than two years.

- b) Nondiscrimination -- The Development Corporation shall refrain from unlawful discrimination in employment and undertake affirmative action to assure equality of employment opportunity and eliminate the effects of past discrimination in accordance with the Illinois Human Rights Act (Ill. Rev. Stat. §98-1, ch. 68, pars. 1-101 et seq.) [775 ILCS 5].

- c) Complaint Process -- In the event of a Development Corporation

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complaint, the Department will follow the procedures outlined in the 47 Ill. Adm. Code 10 (Review and Appeal Procedures).

- d) Financial Statements -- The Development Corporation will provide, at least annually, information and reports required by the Department, including the Corporation's balance sheet, profit and loss statement, and other financial reports due within 45 calendar days of the end of the state fiscal year.

- e) Progress Reports -- An annual progress report shall be prepared by the Development Corporation pertaining to and describing the progress in lending funds, specific business assisted, and the amount of funds loaned and invested, the number of jobs created or retained, etc. A copy shall be delivered to the Department within 45 calendar days of after the end of the state fiscal year.

- f) Department Monitoring and Evaluation -- A Development Corporation must permit any agent authorized by the Department, upon presentation of credentials, to have full access to and the right to examine any documents, papers, and records of the Development Corporation involving transactions related to financial assistance from the Department.

- g) Conflict of Interest -- Each Development Corporation shall assure there is no conflict between borrowers and members of the Development Corporation's staff or board to the extent that no staff or board member shall have any financial interest in, or shall the member profit from, any loan to a borrower.

## b) Loans and Investments

- 1) Financial Assistance Agreement -- During formal negotiations and discussions held with the Department, the Department and the applicant will agree to the terms of the loan or investment agreement.

- 2) Financial Statements -- The Development Corporation will provide, at least annually, information and reports required by the Department, including the Corporation's balance sheet, profit and loss statement, and other financial reports due within 45 calendar days after the end of the state fiscal year.

- 3) Progress Reports -- An annual progress report shall be prepared by the Development Corporation pertaining to and describing the progress in lending funds, specific businesses assisted, the amount of funds loaned and invested, the number of jobs created or retained, etc. A copy shall be submitted to the Department within 45 calendar days after the end of the state fiscal year.

- 4) Department Monitoring and Evaluation -- A Development Corporation must permit any agent authorized by the Department, upon presentation of credentials, to have full access to and the right to examine any documents, papers, and records of the Development Corporation involving transactions related to financial assistance from the Department.

(Source: Amended at 18 Ill. Reg. **17213**, effective



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## Section 545.470 Financial Assistance Standards

- a) Record-Retention-Requirements---All-Development-Corporations---must adhere-to-the-provisions-contained-in-the-Secretary-of-State's Regulations-(44-ill-Adm-Code-4000)-of-the-local-Records-Commission and-Local-Records-Act-(ill-Rev-Stat-1987-ch-116-par-43-101-et seq)- The Department and Development Corporation shall negotiate and execute a grant, loan or investment agreement including appropriate financial assistance standards consistent with all applicable laws and regulations and the type of financial assistance provided. The agreement, as appropriate, may include, but not be limited to, standards for record retention, cash management, financial management, record review and monitoring, audits, reporting and/or modification of the agreement.
- b) Property-Management---All-property-and-assets-purchased-with-the Financial-Assistance-Award-must-be-used-on-the-original-project-as long-as-needed--The-Department-shall-determine-whether-there-is-a continued-need-to-use-all-such-property-beyond-the-period-of-the agreement-and-may-authorize-disposition-consistent-with-the-grant award-criteria-listed-in-Section-545.430.
- c) Cash-Management---Recipients-shall-make-all-cash-depositories-in accounts-covered-under-Federal-Depositors-Insurance-Corporation-or Federal-Savings-and-Loan-Insurance-Corporation-agreements-Development Corporations-shall-provide-for-bonding-of-fiscal-employees-(if-any)-the amount-of-coverage-shall-be-the-higher-of-\$100,000-or-the-highest-cash drawdown-planned-during-the-grant-period-
- d) Earnings-on-Funds---In-accordance-with-Section-10-of-the-Illinois Grant-Funds-Recovery-Act-(ill-Rev-Stat-1987-ch-127-par-231)-all-interest-earned-on-funds-held-by-the-Development Corporation-under-this-financial-assistance-agreement-shall-become part-of-the-financial-assistance-agreement-when-earned-Earnings-by the-Development-Corporation-including-repayment-of-principle-and interest-on-loans-realized-shall-become-a-part-of-the-financial assistance-agreement-
- e) Method-of-Compensation---Payments-pursuant-to-a-Financial-Assistance Award-are-subject-to-the-availability-of-funds-appropriated-to-the Department-by-the-Illinois-General-Assembly-Payments-to-the Development-Corporation-are-subject-to-the-initiation-of-an-invoice voucher-Financial-assistance-must-be-obligated-vouchered-and liquidated-within-the-period-of-the-agreement-or-some-period-of-time as-determined-by-the-Department-
- f) Record-Review-and-Monitoring---Development-Corporations-and-their subcontractors-if-any-must-permit-any-agent-authorized-by-the Department-upon presentation-of-credentials-to-have-full-access-to and-the-right-to-examine-any-documents-papers-and-records-of-the Development-Corporation-involving-transactions-related-to-a-Financial Assistance-Award-under-this-program-for-three-(3)-years-from-the-date

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g)

of-submission-of-the-final-progress-report-or-until-audit-findings have-been-resolved-whichever-is-later-

g)

Financial-Management---The-Development-Corporation-is-accountable-for funds-received-under-this-Financial-Assistance-Agreement-and-shall maintain-effective-control-and-accountability-over-all-funds-and-other assets-under-the-grant-The-Development-Corporation-shall-keep-records which-detail-and-accurately-document-the-Development-Corporation's expenditures-of-grant-funds-A-Development-Corporation's-financial management-system-shall-be-structured-under-the-Accounting-Standards of-the-Financial-Accounting-Standards-Board-of-the-American-Institute of-Certified-Public-Accountants-(AICPA)-(September-19-1987)-

h)

Overpayments-and-Recovery-of-Funds---If-the-Development-Corporation expends-funds-contrary-to-the-provisions-of-the-agreement-such-action shall-require-the-repayment-of-those-funds-if-the-expenditure-violated the-Development-Corporation's-assurances-or-the-statutory-provisions the-Department-shall-require-repayment-of-Development-Corporation expenditures-that-do-not-conform-to-the-provisions-of-the-Agreement but-do-not-violate-statutory-provisions-An-overpayment-of-financial assistance-funds-(unliquidated-balance)-shall-promptly-be-refunded-to the-Department-in-addition-the-Development-Corporation-agrees-to repay-the-Department-for-any-funds-that-are-determined-by-the Department-to-have-been-spent-in-violation-of-the-agreement-

(Source: Amended at 18 Ill. Reg.

17213,

NOV 17 1994)

## Section 545.480 Audits (Repealed)

a)

The-Development-Corporation-shall-be-responsible-for-securing-an-audit of-all-loan-records-and-such-audit-must-be-performed-by-an-independent certified-public-accountant-licensed-by-authority-of-the-State-of Illinois-pursuant-to-the-Illinois-Public-Accounting-Act-(ill-Rev-Stat-1987-ch-117-par-5500-et-seq)-The-audit-must-be-conducted in-accordance-with-generally-accepted-auditing-standards-adopted-by the-American-Institute-of-Certified-Public-Accountants-(AICPA)-

b)

The-Development-Corporation-shall-work-cooperatively-with-the-audit firm-selected-actively-work-with-both-the-audit-firm-and-the Department-to-resolve-any-and-all-audit-findings-and-work cooperatively-with-the-Department's-staff-in-preparing-for conducting-resolving-audits-

c)

The-Department-reserves-the-right-to-conduct-special-audits-including but-not-limited-to-an-agency-wide-audit-at-any-time-during-normal working-hours-of-funds-expended-under-Department-loans-

d)

Any-independent-public-accounting-firm-that-provides-consultant services-to-a-Development-Corporation-is-prohibited-from-conducting-an audit-of-that-Development-Corporation-for-the-period-during-which services-were-rendered-

(Source: Repealed at 18 Ill. Reg.

17213,

effective

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## Section 545.490 Modification, Suspension and Termination of Financial Assistance (Repealed)

- a) Modification and Amendment of the Financial Assistance Award--The award of financial assistance is subject to revision as follows:
- 1) Modifications by Operation of Law--The award of financial assistance is subject to such modifications as may be required by changes in state law or regulations. Any such required modification shall be incorporated into and made a part of the financial assistance within the provisions of the Illinois Grant Funds Recovery Act (31 Ill. Rev. Stat. 1987 and 1988 Supp. ch. 137, pars. 2301 et seq.). The Department shall notify in writing the Development Corporation of any amendment to such regulations.
- 2) Modifications in Budget--Development Corporations requests for budget variations in the amount or line item costs shall be in writing by registered letter and shall give justifications for the requested variations. The Department may approve modification necessary to achieve program objectives of the grant award criteria set out in Section 545.490. Any changes in cost categories or line items shall not alter the activities or deliverables for the project. If the Department approves the modification request, the Development Corporation will be notified in writing of the change and effective date.
- 3) Other Modifications by Department--Development Corporation--If either the Department or the Development Corporation desires to modify the terms of the financial assistance other than as set forth in subsections (a)(1) and (2) above, written notice of the proposed modification shall be given to the other party. No modification shall take effect unless agreed to in writing by both the Department and the Development Corporation.

## b) Suspension--

- 1) If the Department determines that a Development Corporation has failed to perform the terms and conditions of the scope of work of the project, then the Department shall, after notice and an opportunity to correct, has been provided to the recipient suspend the financial assistance and withhold further payments until the financial assistance is terminated or the Development Corporation's failure has been corrected.
- 2) The Department will determine that a Development Corporation has failed to faithfully perform the terms and conditions of the scope of work of the project when:
- A) the Department has notified the Development Corporation in writing of the existence of circumstances such as repeated failure to submit required reports, misapplication of Department funds, evidence of fraud and abuse, repeated

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- failure to meet performance timelines or standards, or failure to resolve negotiated points of the agreement, and the Development Corporation fails to develop and implement a corrective action plan satisfactory to the Department within 30 calendar days of the Department's notice.
- c) Financial assistance shall be terminated for the following reasons:
- 1) Termination Due to Loss of Funding--In the absence of state funding for a specific year, all financial assistance for that year will be terminated in full in the event of a partial loss of state funding. The Department will make proportionate cuts to all Development Corporations.
- 2) Termination for Cause--If the Department determines that the Development Corporation has failed to comply with the terms and conditions of the financial assistance, has failed to observe or perform or cause the observance or performance of any covenant contained in the agreement, or any statement, certification, representation or warranty made by or on behalf of the Development Corporation, shall prove to have been untrue or incorrect in any material respect when made, the Department shall terminate the loan in whole or in part at any time before the date of completion.
- 3) Termination by Agreement--The Department and the Development Corporation shall terminate the financial assistance agreement in whole or in part when the Department and the Development Corporation agree that the continuation of the project objectives would not produce beneficial results commensurate with the future expenditures of funds.

(Source: Repealed at 18 Ill. Reg. 17213, effective NOV 17 1994)

## Section 545.495 General Terms Governing Relending

When Financial Assistance provided by the Department is used by the Development Corporation for relending to or direct investments in Illinois based firms, the Corporation shall meet the following standards:

- a) Applications--An application for a loan or a security investment submitted to the Development Corporation may require facts about the company's history, job opportunities, stability of employment, past and present condition and structure, actual and pro-forma income statements, present and future market prospects and management qualification, and any other facts deemed material to the financing request. The Development Corporation shall obtain and such additional information concerning the application as it deems necessary and diligent (Section 3003 of the Act).
- b) Financial Analysts Analysis--The Development Corporation shall, on the basis of the application, and any other information, prepare a report concerning the credit-worthiness of the proposed borrower, the financial commitment of other investors, the manner in which the



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proposed business project will advance the economy of the state, and the soundness of the proposed financial assistance agreement (Section 3003 of the Act).

- c) Other Financing -- Assistance shall be awarded only if other financing with respect to the business project is provided. Other financing may include, but shall not be limited to any loan, equity position, convertible preferred stock, letter of credit, guarantee, or bond purchase (Section 3002(a) of the Act).
- d) Adequate Security -- Loans or security investment may be secured by first or second positions on real or personal property, by royalty payments, by personal notes or guarantees, or by any other security satisfactory to the (Section 3002(b) of the Act) Development Corporation.
- e) Terms and Provisions -- Loans or security investments shall be in such principal amount and form, and contain such terms and provisions with respect to the property, insurance, repairs, alteration, payment of taxes and assessments, delinquency charges, default remedies, additional security as shall be determined adequate (Section 3002(c) of the Act).
- f) Loans -- In determining if a loan is to be provided, the Development Corporation shall determine whether there will be an expected improvement in production levels, quality of output or timeliness of delivery and that the number of jobs to be created or retained is reasonable in relation to the loan funds requested (Section 3004(b) of the Act).
- g) Qualified Security Investments -- In determining if a qualified security investment is to be made, the Development Corporation shall find that there is a likelihood of commercial feasibility given the state of development of the proposed product, process, or technical device, and that there is likelihood of increased job opportunities in the near term as a result of the security investment (Section 3004(a) of the Act).

(Source: Amended at 18 Ill. Reg. **17213**, effective  
**NOV 17 1994**)

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- 1) Heading of the Part: Homeowner Mortgage Revenue Bond Program

- 2) Code Citation: 47 Ill. Adm. Code 260

3) <u>Section Numbers:</u>	<u>Adopted Action:</u>
260.101	New Section
260.102	New Section
260.103	New Section
260.104	New Section
260.105	New Section
260.106	New Section
260.107	New Section
260.108	New Section
260.109	New Section
260.110	New Section
260.111	New Section
260.112	New Section
260.113	New Section
260.114	New Section
260.201	New Section
260.202	New Section
260.203	New Section
260.204	New Section
260.205	New Section
260.301	New Section
260.302	New Section
260.303	New Section
260.304	New Section
260.305	New Section
260.401	New Section
260.402	New Section
260.403	New Section
260.404	New Section
260.405	New Section
260.406	New Section
260.407	New Section
260.501	New Section
260.502	New Section
260.503	New Section
260.504	New Section
260.505	New Section
260.506	New Section

- 4) Statutory Authority: Sections 3805/7.19 and 3805/7.23 of the Illinois Housing Development Act [20 ILCS 3805/7.19 and 3805/7.23].

- 5) Effective Date of Rulemaking: November 16, 1994

- 6) Does this rulemaking contain an automatic repeal date? No



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CHAPTER II: ILLINOIS HOUSING DEVELOPMENT AUTHORITY

7) Does this rulemaking contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: May 20, 1994

9) Notice of Proposal Published in Illinois Register:  
June 3, 1994, 18 Ill. Reg. 8293

10) Has JCAR issued a Statement of Objections to these rules? Yes

11) Difference(s) between proposal and final version:  
Pursuant to Second Notice Changes from JCAR and the Notice of Modification to Meet the Objection of Jcar, the Authority made a series of substantive, technical and grammatical corrections throughout the rulemaking and modified Section 260.109.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking:  
The proposed rules will govern the Illinois Housing Development Authority's single family mortgage purchase program, as authorized by the Authority's Homeowner Mortgage Revenue Bonds General Resolution.

16) Information and questions regarding these adopted rules shall be directed to:

Name: Richard B. Muller, Esq.  
Address: 401 N. Michigan Ave., Suite 900  
Chicago, Illinois 60611  
Telephone: (312)836-5327

The full text of the Adopted Rules begins on the next page:

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## PART 260

## HOMEOWNER MORTGAGE REVENUE BOND PROGRAM

## SUBPART A: GENERAL RULES

Section  
260.101  
260.102  
260.103  
260.104  
260.105  
260.106  
260.107  
260.108  
260.109  
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Authority  
Purposes and Objectives  
Definitions  
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Compliance with Federal Law  
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## SUBPART B: LENDER APPLICATION PROCESS

Section  
260.201  
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260.203  
260.204  
260.205

Invitations to Sell Mortgage Loans  
Security for Allocation of Net Proceeds  
Allocation of Net Proceeds for Purchase of Mortgage Loans  
Notice of Acceptance  
Commitments for Mortgage Loans

## SUBPART C: HOMEBUILDER APPLICATION PROCESS

Section  
260.301  
260.302  
260.303  
260.304  
260.305

HomeBuilder Invitations  
Reservation of Funds for Construction of Qualified Dwellings  
Notice of Reservation of Funds  
Real Estate Purchase Contracts  
Transfer of Reserved Funds

## SUBPART D: PURCHASE OF MORTGAGE LOANS

Section  
260.401  
260.402  
260.403

Mortgage Loans  
Yield on Mortgage Loans  
Terms and Conditions of the Purchase of Mortgage Loans

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260.404 Prepayment  
 260.405 Targeted Area Residences  
 260.406 Supplemental Mortgage Coverage  
 260.407 Special Hazard Insurance

## SUBPART E: ADMINISTRATIVE RULES

Section  
 260.501 Restrictions on Return Realized by Lenders  
 260.502 Servicing of Mortgage Loans  
 260.503 Purchase of Authority Bonds  
 260.504 Equal Opportunity Lending  
 260.505 Inspection of Books and Records  
 260.506 Termination

AUTHORITY: Authorized by Sections 7.19 and 7.23 of the Illinois Housing Development Act [20 ILCS 3805/7.19 and 7.23].

SOURCE: Adopted NOV 16 1994 at 18 Ill. Reg. 17 229, effective

EDITOR'S NOTE: The federal agency referred to in this part as the "VA" and "The United States Veterans' Administration" changed its name in 1989 to the United States Department of Veterans Affairs.

## SUBPART A: GENERAL RULES

## Section 260.101 Authority

These Rules are authorized by and made pursuant to Sections 7.19 and 7.23 of the Illinois Housing Development Act [20 ILCS 3805/7.19 and 7.23] and shall govern the Illinois Housing Development Authority's single family mortgage purchase program (the "Program") funded by its Homeowner Mortgage Revenue Bonds.

## Section 260.102 Purposes and Objectives

These Rules are established to accomplish the general purposes of the Illinois Housing Development Act and in particular the purchasing and making of loans in accordance with the Program to achieve the following objectives: the provision of funds to finance, at interest rates below those otherwise available, residential mortgage loans for low and moderate income persons and families; the provision of housing to alleviate the shortage of adequate housing in the State of Illinois for such persons and families that are residents of the State of Illinois; and the effective participation by mortgage lenders in the Program, while restricting their financial return to what is necessary to induce such participation.

## Section 260.103 Definitions

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As used in this Part, the following words or terms mean:

"Act": The Illinois Housing Development Act [20 ILCS 3805].

"Allocation": The amount of funds reserved to a Lender in a Series Program pursuant to a Lender Application and a Notice of Acceptance.

"Assistant Director": The Assistant Director of the Authority.

"Authority": The Illinois Housing Development Authority.

"Bonds": The Homeowner Mortgage Revenue Bonds issued by the Authority pursuant to the Act from time to time to finance the Program.

"Code": The Internal Revenue Code of 1986, as amended and supplemented, and the regulations promulgated by the Treasury Department thereunder.

"Commitment Fee": The fee that the Authority may require a prospective HomeBuilder to pay to the Authority at the time it files its HomeBuilder Application.

"Deputy Director": The Deputy Director of the Authority.

"Director": The Director of the Authority.

"Eligible Borrower": A person:

who is or will be a resident of the State within sixty days after the closing of his purchase of a Qualified Dwelling;

whose Household Income does not exceed the Maximum Income;

who intends to use the Qualified Dwelling being financed by a Mortgage Loan as his permanent residence within sixty (60) days after the closing of the Mortgage Loan;

who occupies or intends to occupy as a single household the Qualified Dwelling purchased or being purchased as a permanent residence; and

who at no time during the 3-year period ending on the date of closing of the Mortgage Loan had a present ownership interest in his principal residence.

An Eligible Borrower who purchases a Targeted Area Residence or a Qualified Rehabilitation Residence is exempt from the 3-year requirement of this subsection. For purposes of this subsection, the Eligible Borrower's interest in the Qualified Dwelling financed under

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this Program shall not be taken into account.

A residence that is used as an investment property or a recreational home, or that is primarily intended to be used in a trade or business (including, without limitation, any residence of which more than fifteen percent (15%) of the total area is reasonably expected to be used primarily in a trade or business), does not satisfy the requirements of this subparagraph.

"FHA": The Federal Housing Administration.

"FHLMC": The Federal Home Loan Mortgage Corporation.

"FmHA": The Farmer's Home Administration.

"FNMA": The Federal National Mortgage Association.

"HomeBuilder": An individual or entity approved by the Authority that:

for the 12-month period preceding the date of its HomeBuilder Application for participation in a Series Program had insurance coverage for product liability, worker's compensation and builder's risk; and

had constructed at least two buildings in that same 12-month period or, in the alternative, had constructed at least four buildings in the 24-month period preceding the date of its HomeBuilder Application for participation in a Series Program.

"HomeBuilder Application": A prospective HomeBuilder's application to construct Qualified Dwellings for sale to Eligible Borrowers pursuant to the terms of a HomeBuilder Participation Agreement and other Program documents.

"HomeBuilder Participation Agreement": The agreement between the Authority and a HomeBuilder pursuant to which the HomeBuilder agrees to construct new Qualified Dwellings for purchase by Eligible Borrowers, and the Authority agrees to purchase Mortgage Loans financing such newly constructed Qualified Dwellings, under the terms and conditions set forth therein.

"Household Income": The total annualized gross income of the Eligible Borrower(s), and any other person who is expected to live in the Qualified Dwelling and be secondarily liable on the Note, all persons residing or intending to reside as a single household in a Qualified Dwelling, from whatever source derived and before taxes or withholdings; provided that if a married person takes title to the Qualified Dwelling individually the income of the spouse shall also be included.

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"Lender": A State-chartered bank, national banking association, mortgage banking association or institution, credit union, or State or federal savings and loan association:

that is located and qualified to do business in the State; that is qualified to sell mortgages to FNMA and/or FHLMC (this requirement may be waived by the Director after determination that the assets of the Lender exceed \$500,000, that the percentage of mortgage delinquencies in the Lender's single family portfolio do not exceed 2.15 times the Statewide average as determined by the last quarterly pronouncement by the United States Federal Home Loan Bank Board and that the Lender has an asset-to-liability ratio of at least 1.01/1);

the deposits of which are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration, or which deposits its funds in Illinois financial institutions whose deposits are insured by the Federal Deposit Insurance Corporation; and

whose Lender Application has been accepted by the Director, Deputy Director or Assistant Director based upon the satisfaction of the requirements of the Series Program under which the Lender has submitted such Lender Application and a determination of financial suitability after consideration of the net assets, lending capacity, and experience of the potential Lender over the past twelve (12) months in residential mortgage lending. The Authority may also be a Lender.

"Lender Application": A prospective Lender's application to sell Mortgage Loans to the Authority pursuant to the terms of a Mortgage Purchase Agreement and other Series Program documents.

"Maximum Income": Unless otherwise permitted by the Code, 115% of the median family income of either the metropolitan statistical area or primary metropolitan statistical area in which the Qualified Dwelling is located or the State, whichever is greater, as determined by the Internal Revenue Service.

"Members": The Members of the Authority.

"Mortgage": The mortgage, or other instrument in the nature of a mortgage, creating a first mortgage lien on a fee interest in real estate, together with all supplements, modifications or amendments to it.

"Mortgage Loan": A loan made by a Lender to an Eligible Borrower for the purchase of a Qualified Dwelling and secured by a Mortgage on such Qualified Dwelling. No Mortgage Loan shall be a replacement or refinancing of an existing mortgage loan except in the case of a Qualified Rehabilitation Loan or other temporary loans, as permitted by Section 143 of the Code.



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"Mortgage Purchase Agreement": The agreement between the Authority and a Lender pursuant to which the Authority agrees to purchase Mortgage Loans from the Lender on the terms and conditions set forth therein and which establishes the requirements for Mortgage Loans to be purchased by the Authority.

"Net Proceeds": With respect to the proceeds of each series of Bonds, all moneys made available by the Authority for the purchase of Mortgage Loans.

"Notice of Acceptance": The Authority's notice to a Lender accepting its Lender Application.

"Notice of Reservation of Funds": The Authority's notice to a HomeBuilder accepting:  
its HomeBuilder Application and  
setting forth the amount of the HomeBuilder's Reservation.

"Part": This Part 260

"Prepayment": Any moneys, however derived, that are received or recovered by the Authority from any payment of, or with respect to, principal on any Mortgage Loan prior to scheduled payments of principal required under such Mortgage Loan.

"Private Mortgage Insurance": Insurance coverage paid for by the Eligible Borrower that insures the Authority against losses with respect to defaults on a Mortgage Loan according to the terms of the insurance policy. The Authority may provide Private Mortgage Insurance or its equivalent.

"Program": The Authority's single family mortgage purchase program that is funded with proceeds of Bonds issued after the date of the adoption of the Resolution.

"Property Value": The lesser of the purchase price or the appraised value of the Qualified Dwelling at the time of the origination of the Mortgage Loan secured by such Qualified Dwelling.

"Qualified Dwelling": A fee simple interest in real property:

that is located in the State;

upon which there is located a structure or structures designed for residential use;

that is a single family residence; a condominium unit meeting the requirements of the Mortgage Purchase Agreement; a one-, two-, three- or four-unit structure meeting the requirements of

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the Code; or factory-made housing that is permanently fixed to real property;

of which not more than fifteen percent (15%) of the total area is reasonably expected to be used primarily in a trade or business; and

that can reasonably be expected to become the principal residence of the Eligible Borrower within a reasonable time after financing is provided. For purposes of this subparagraph, a "reasonable time after financing is provided" shall be deemed to be a period within sixty (60) days after closing of the Mortgage Loan. This period may be extended if the Authority determines that undue hardship to the Eligible Borrower or Lender or an unreasonable result will otherwise occur.

"Qualified Rehabilitation Loan": A Mortgage Loan for the purchase of a Qualified Rehabilitation Residence. An Eligible Borrower for a Qualified Rehabilitation Loan must be the first resident of the Qualified Rehabilitation Residence after the completion of the rehabilitation.

"Qualified Rehabilitation Residence": A qualified Dwelling for which there has been a qualified rehabilitation, as defined in Section 143 of the Code.

"Reservation": The amount of funds reserved to a HomeBuilder in a Series Program pursuant to a HomeBuilder Application and a Notice of Reservation of Funds.

"Resolution": The Authority's Homeowner Mortgage Revenue Bonds General Resolution setting forth the general terms and conditions under which the Authority may issue, deliver and sell Bonds.

"Rules": The rules of the Authority, as amended and supplemented from time to time.

"Series Program": A mortgage purchase program authorized by a Series Resolution to become a part of the Program.

"Series Resolution": A resolution issued pursuant to the Resolution authorizing the Authority to conduct a Series Program and to issue Bonds to provide financing for the purchase of Mortgage Loans under such Series Program.

"Servicer": A Lender, or its designated servicer, that has been approved by the Director, Deputy Director or Assistant Director as a Servicer and that has executed a Servicing Agreement with the Authority. The Authority may also be a Servicer. A designated

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servicer other than the Authority must be:  
 a State-chartered bank, national banking association, mortgage banking association or institution, credit union or State or federal savings and loan association;  
 that is qualified to do business in the State;  
 that is qualified to sell mortgages to FNMA and/or FHLMC, unless such requirement is waived by the Director based upon a determination of financial suitability made by the Director after consideration of the net assets, servicing capacity, and experience of the potential Servicer over the past 12 months in residential mortgage servicing; and  
 the deposits of which are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration, or that deposits its funds in Illinois financial institutions whose deposits are insured by the Federal Deposit Insurance Corporation.

"Servicing Agreement": The agreement between a Servicer and the Authority (except when the Authority is the Servicer) that sets forth the terms and conditions for the servicing of Mortgage Loans purchased by the Authority.

"Special Hazard Insurance": Insurance that provides protection with respect to loss on properties acquired in connection with the foreclosure of a defaulted Mortgage Loan by reason of damage to properties caused by certain hazards (including earthquakes, and to a limited extent, tidal waves and related water damage) not insured against under a standard hazard insurance policy required to be obtained by each Eligible Borrower, or a flood insurance policy if the property is in a federally designated flood area. The Authority may provide Special Hazard Insurance or its equivalent.

"Staff": The Director, Deputy Director, Assistant Director and employees of the Authority.

"State": The State of Illinois.

"Supplemental Mortgage Coverage": The coverage, if required by a Series Resolution, whether in the form of insurance, a letter of credit, a guarantee, pledged funds or other forms of coverage, of losses incurred from Mortgage Loan defaults under that Series Program. Supplemental Mortgage Coverage may supplement other mortgage insurance and may include any insurance or reserve fund funded by the Authority.

"VA": The United States Veterans' Administration.

## Section 260.104 Borrowing by the Authority

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To the extent allowed by State or federal law and the Act, the Authority may borrow funds with which to purchase Mortgage Loans under the Program.

## Section 260.105 Compliance with Federal Law

Notwithstanding anything in this Part to the contrary, this Part shall be construed in conformity and compliance with applicable federal law, including, without limit, Section 143 of the Code.

## Section 260.106 Standards

In administering the Program, the Authority and the Staff, in those instances permitting the exercise of discretion, shall consider, in addition to the criteria specifically set forth in this Part, the following factors:

- the purpose of the Program;
- the financial condition and previous lending experience of potential and participating Lenders and Servicers;
- the Authority's ability to purchase or redeem the Bonds and to comply with the requirements of the Resolution and applicable Series Resolutions;
- the financial integrity of the Program;
- the desirability of achieving a reasonable geographic distribution of Net proceeds throughout the State; and
- the standards of the prudent lender or investor.

## Section 260.107 Forms for the Program

The Staff may prepare, use, supplement, and amend such forms, agreements, and other documentation as may be necessary to implement the Program, including, without limitation, a HomeBuilder Application, a Lender Application, a Notice of Acceptance, a Notice of Reservation of Funds, a Mortgage Purchase Agreement and a Servicing Agreement, all as may be prescribed by the Director, Deputy Director or Assistant Director.

## Section 260.108 Fees and Charges of the Authority

The Authority may establish and collect a Commitment Fee from each HomeBuilder submitting a HomeBuilder Application in an amount not greater than three percent (3%) of the HomeBuilder Reservation in such amount as the Authority may deem appropriate. The Authority shall return any Commitment Fee to any HomeBuilder with which it does not enter into a HomeBuilder Participation Agreement. The Authority may establish such other charges, premiums and penalties as it may deem necessary to administer the Program after consideration of such factors as, including but not limited to, financing requirements of the Program, preferences of bond rating agencies, earnings and arbitrage limitations established by federal or State law and other financial factors relevant to the Program.

## Section 260.109 Waiver

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The Authority by resolution may waive or vary particular provisions of this Part to conform to changes in the requirements of applicable State or Federal law. The Authority will follow up the resolution with rulemaking that reflects such requirements of State or Federal law as expeditiously as possible.

**Section 260.110 Amendment**

This Part may be amended or repealed by the Members from time to time in accordance with the Illinois Administrative Procedure Act and in such manner as they may determine consistent with the Act, the purposes of the Program and other applicable provisions of law. This Part shall not constitute or create any contractual rights.

**Section 260.111 Severability**

If any clause, sentence, subsection, Section or Subpart of this Part shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, subsection, Section, and Subpart thereof as to which such judgment is rendered.

**Section 260.112 Gender and Number**

All terms used in any one gender or number shall be construed to include any other gender or number as the context may require.

**Section 260.113 Titles and Captions**

Titles and captions of Subparts, Sections, and subsections are used for convenience and reference and are not a part of the text.

**Section 260.114 Calendar Days**

Days shall mean calendar days. Due dates falling on a Saturday, Sunday or legal State or Federal holiday shall be deemed to fall on the next calendar day that is not Saturday, Sunday, or a legal State or Federal holiday.

**SUBPART B: LENDER APPLICATION PROCESS****Section 260.201 Invitations to Sell Mortgage Loans**

From time to time the Authority may send application materials to potential Lenders inviting them to submit to the Authority Lender Applications to participate in a Series Program. Lenders wishing to participate in such Series Program shall execute and return to the Authority the following documents: the Lender Application, the Mortgage Purchase Agreement (if not already executed), and the Servicing Agreement (if applicable and if not already executed). In addition, the Lender Application shall contain, but not be limited to, the

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following:

- a) The unconditional agreement of the prospective Lender, effective upon acceptance of the Lender Application by the Authority, to sell to the Authority Mortgage Loans that comply with the terms of the Lender Application, the Mortgage Purchase Agreement and the Notice of Acceptance;
- b) The date by which the Lender Application must be submitted to the Authority to be considered for an Allocation;
- c) Provision for the prospective Lender to furnish such financial and other information as the Authority may reasonably require;
- d) A pro forma copy of any letter of credit the Authority may require as security for the Lender's performance of its obligations under the Series Program; and
- e) A statement of the maximum amount of fees and charges the Lender may charge a prospective Eligible Borrower in connection with a Mortgage Loan.

**Section 260.202 Security for Allocation of Net Proceeds**

The Authority may require all prospective Lenders for a Series program to deposit, as part of their Lender Applications and as security for performance of their obligations under such Series program, a letter of credit or cash deposit in an amount not to exceed 2% of such Lender's Allocation. The cash deposit or letter of credit shall be returned if the Lender does not participate in such Series Program. If the Lender does participate in such Series Program, the Authority may retain from the cash deposit, or draw on the letter of credit, as the case may be, an amount proportionate to the amount of the Lender's unused Allocation as of the termination of that Series Program.

**Section 260.203 Allocation of Net Proceeds for Purchase of Mortgage Loans**

The Authority may allocate Net Proceeds among prospective Lenders from which it has received timely Lender Applications. In making such Allocations, the Authority shall consider with respect to each prospective Lender, among other things, the financial condition of the prospective Lender; the aggregate amount of residential mortgage loans made in the State by the prospective Lender during the preceding 12-month period relative to the demand for such loans and the funds available to the prospective Lender to make such loans during such period; the Allocations requested by all prospective Lenders; the ability of the prospective Lender to act as a Servicer of Mortgage Loans; previous participation by the prospective Lender in the Authority's Series Programs; the desirability of achieving a reasonable geographic distribution of Net Proceeds throughout the State; and the existence of any local governmental mortgage purchase program. The Authority shall use its best efforts to allocate Net Proceeds to achieve the purposes set forth in Section 260.102 of this Part. Allocations of Net Proceeds by the Authority shall be conclusive, subject to adjustments permitted in Section 260.403(b) of this Part.

**Section 260.204 Notice of Acceptance**



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- e) A statement of the amount of any required Commitment Fee and requirement that such Commitment Fee be submitted in connection with the HomeBuilder Application.

**Section 260.302 Reservation of Funds for Construction of Qualified Dwellings**

The Authority may make Reservations for prospective HomeBuilders from which the Authority has received timely HomeBuilder Applications and Commitment Fees (if required). In making such Reservations, the Authority shall consider with respect to each such prospective HomeBuilder the number of residential homes and other structures constructed by the HomeBuilder in the State within the 24 month period prior to its HomeBuilder Application; the Reservations requested by all prospective HomeBuilders for the Series Program; the participation of the HomeBuilder in the Authority's previous Series Programs; and the desirability of achieving a reasonable geographic distribution of Net Proceeds for newly-constructed residences throughout the State. Reservations shall be conclusive, subject to the adjustments permitted in Section 260.305 of this Part.

**Section 260.303 Notice of Reservation of Funds**

The Authority may commit itself by Notice of Reservation of Funds, subject to the terms and conditions set forth in the HomeBuilder Application and the HomeBuilder Participation Agreement, to make a Reservation for a prospective HomeBuilder for the financing of Qualified Dwellings constructed or to be constructed for Eligible Borrowers under a Series Program. Contemporaneously with the issuance of the Notice of Reservation of Funds to the HomeBuilder, the Authority shall execute a HomeBuilder Participation Agreement with that HomeBuilder. The amount of the Reservation for the HomeBuilder shall not exceed, and may be less than, such HomeBuilder's requested Reservation in its HomeBuilder Application. Upon receipt of the Notice of Reservation of Funds, the HomeBuilder shall be obligated to construct Qualified Dwellings in accordance with the terms of the HomeBuilder Application and the HomeBuilder Participation Agreement. The obligation of the Authority to make Reservations to HomeBuilders shall be subject to the issuance and sale of Bonds by the date set forth in the HomeBuilder Application in an amount sufficient to permit such Reservations.

**Section 260.304 Real Estate Purchase Contracts**

Upon receipt of the Notice of Reservation of Funds, the HomeBuilder shall construct Qualified Dwellings for sale to Eligible Borrowers. The HomeBuilder shall enter into standard residential purchase contracts with prospective Eligible Borrowers and refer such Eligible Borrowers to Lenders participating in the Series Program to obtain Mortgage Loans in connection with the purchase of Qualified Dwellings. All Qualified Dwellings shall be constructed and sold to Eligible Borrowers by the date indicated in the HomeBuilder Participation Agreement.

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The Authority, by Notice of Acceptance, may commit itself, subject to the conditions set forth in the Lender Application and the Mortgage Purchase Agreement, to purchase Mortgage Loans, as offered by a potential Lender in its Lender Application. Immediately after the Authority has issued its Notice of Acceptance to the Lender, the Authority shall execute a Mortgage Purchase Agreement (if not previously executed) with such Lender. The aggregate principal amount of Mortgage Loans that the Authority agrees to purchase from any Lender shall not exceed, and may be less than, the Lender's requested Allocation in its Lender Application. Upon receipt of the Notice of Acceptance, the Lender shall be obligated to originate Mortgage Loans in accordance with the terms of the Lender Application, the Notice of Acceptance and the Mortgage Purchase Agreement. The obligation of the Authority to purchase any Mortgage Loan shall be subject to the issuance and sale of Bonds by the date set forth in the Lender Application in an amount sufficient to permit such purchase.

**Section 260.205 Commitments for Mortgage Loans**

Upon receipt of the Notice of Acceptance, the Lender shall issue commitments to Eligible Borrowers to make Mortgage Loans. The Lender may continue to issue firm commitments for the period set forth in the Notice of Acceptance. All Mortgage Loans shall be purchased by the Authority by the date indicated in the Notice of Acceptance.

## SUBPART C: HOMEBUILDER APPLICATION PROCESS

**Section 260.301 HomeBuilder Invitations**

From time to time, the Authority may send application materials to potential HomeBuilders inviting them to submit to the Authority HomeBuilder Applications to participate in a Series Program. HomeBuilders wishing to participate in that Series Program shall execute and return to the Authority the HomeBuilder Application and HomeBuilder Participation Agreement. In addition, the HomeBuilder Application shall contain among other things, the following:

- a) A requirement that the HomeBuilder state the amount of funds that it wishes to reserve in its name for the financing of Qualified Dwellings constructed or to be constructed by such HomeBuilder in the Series Program;
- b) The unconditional agreement of the prospective HomeBuilder, effective upon acceptance of the Home Builder Application by the Authority, to construct Qualified Dwellings for sale to Eligible Borrowers that comply with the terms of the Notice of Reservation of Funds and the HomeBuilder Participation Agreement;
- c) The date by which the HomeBuilder Application must be submitted to the Authority;
- d) Provision for the prospective HomeBuilder to provide such information about the HomeBuilder's construction activities during the period of 24 months prior to the date of its HomeBuilder Application and such other information as the Authority may reasonably require; and

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**Section 260.305 Transfer of Reserved Funds**

If a HomeBuilder fails or is unable to construct and sell Qualified Dwellings in the amount of its Reservation on the terms and conditions, and within the time period, set forth in the HomeBuilder Participation Agreement, the Authority may, at the request of the HomeBuilder, reallocate all or a part of the unused portion of the HomeBuilder's Reservation to other HomeBuilders; redeem all or part of the Bonds issued with respect to such unused portion of the Reservation, but only if permitted by the Series Resolution authorizing the issuance of the Bonds; or undertake a combination of the above.

**SUBPART D: PURCHASE OF MORTGAGE LOANS****Section 260.401 Mortgage Loans**

Each Mortgage Loan to be purchased under the Program shall comply with the terms of the Lender Application, the HomeBuilder Application (if applicable), the Notice of Acceptance and the Mortgage Purchase Agreement and shall specifically comply with the following requirements, among others:

- a) The original principal amount of each Mortgage Loan, unless such Mortgage Loan is the subject of insurance or guaranty by the FHA, the VA or the FmHA, shall not exceed 100% of the Property Value. Each Mortgage Loan that has a loan-to-property value ratio in excess of 80% at the time of origination shall:

- (1) be insured by a private mortgage insurer licensed to do business in the State and qualified to insure single family mortgages purchased by the FHLMC or successor federal agency to the extent, if any, required, so that the uninsured portion of such Mortgage Loan shall not exceed 75% of the Property Value; or

- (2) be subject to insurance or guaranty by the FHA or the VA or any other agency or instrumentality of the United States of America having similar powers to insure or guarantee mortgage loans.

- b) Each Mortgage Loan to be purchased by the Authority shall be secured by a Mortgage on a Qualified Dwelling and shall also meet the applicable terms and conditions set forth in this part, the HomeBuilder Application (if applicable), the Lender Application, the Notice of Acceptance and the Mortgage Purchase Agreement. Lenders shall sell to the Authority, and the Authority shall purchase, only Mortgage Loans made to Eligible Borrowers.

- c) Each Mortgage securing a Mortgage Loan to be purchased by the Authority shall:

- 1) be executed on a form approved by the Authority;
- 2) be a valid first mortgage lien on a Qualified Dwelling;
- 3) be consistent with Illinois law; and
- 4) conform with the requirements prescribed by the Authority and any applicable insurer.

- d) Each Mortgage Loan to be purchased by the Authority shall be non-assumable and non-assignable, unless otherwise required by applicable State or federal law, and shall contain a provision giving

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the Authority the right to accelerate the maturity of the Mortgage Loan upon sale or lease of the Qualified Dwelling.

- e) The purchase price of each Qualified Dwelling that is the subject of a Mortgage Loan to be purchased by the Authority under the Program shall not exceed 90% of the average area purchase price applicable to the areas in which such Qualified Dwelling is located (except that in the case of Targeted Area Residences the purchase price shall not exceed 110% of the average area purchase price), except to the extent permitted by the Code. Average area purchase price shall be established pursuant to procedures prescribed by the Code.

- f) The Authority shall not purchase any Mortgage Loan if, on the date of purchase, the obligor of the Mortgage Loan is delinquent in the payment of any installment of principal, interest or other amounts due under the terms of such Mortgage Loan.

- g) The Authority may foreclose Mortgages held as security for Mortgage Loans purchased under this part that are in default according to their terms, or reassign such Mortgages to the Lender in accordance with the terms of the Mortgage Purchase Agreement. The Authority may take title in its name upon foreclosure and to subsequently convey title to such property to any qualified insurer of the mortgage or any bona fide purchaser of the property.

**Section 260.402 Yield on Mortgage Loans**

In no event shall the yield on Mortgage Loans sold to the Authority exceed the maximum permitted by application of the provisions of Section 143 of the Code.

**Section 260.403 Terms and Conditions of the Purchase of Mortgage Loans**

- a) The Authority shall purchase Mortgage Loans on the terms and conditions and in the manner prescribed in the Mortgage Purchase Agreement. The Mortgage Purchase Agreement shall contain such warranties of the Lender in connection with the Mortgage Loans to be sold thereunder as the Authority shall require, which shall include, among others, the following:

- 1) The mortgagor is an Eligible Borrower;
- 2) The purchase price of the Qualified Dwelling subject to the Mortgage Loan does not exceed any maximum purchase price limitations established by the Authority;
- 3) The Mortgage Loan is evidenced by a properly executed promissory note made payable or assigned to the order of the Lender, endorsed by the Lender to the Authority and secured by a Mortgage on the Qualified Dwelling; both the note and the Mortgage are on the legal, valid, and binding obligations of the makers and mortgagors thereof and are enforceable in accordance with their terms, except only as such enforcement may be limited by laws affecting the enforcement of creditors' rights generally, and all parties to each Mortgage Loan had full legal capacity to execute all Mortgage Loan documents at the time of execution;



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- 4) The Mortgage, the Uniform Commercial Code Form 1 and Form 2 financing statements, if any, and any other document required to be filed in a public office to perfect the mortgage lien against third parties have been duly and timely filed, registered, or recorded by the Lender in the proper public office in order to give constructive notice of them to all subsequent purchasers or encumbrancers;
- 5) The Lender, being the sole owner and holder of the Mortgage Loan, has full right to sell and assign the Mortgage Loan to the Authority and such assignment conveys a good and marketable mortgagee's title to the Authority free and clear of all liens and encumbrances and subject only to real property taxes and assessments not yet due and encumbrances customarily accepted in accordance with applicable title standards and disclosed to the Authority prior to purchase of the Mortgage Loan;
- 6) The Mortgage creates a valid and existing first mortgage lien on the Qualified Dwelling to secure the Mortgage Loan; the term "first mortgage lien" means such classes of first liens as are commonly given to secure loans on real estate under the laws of the State;
- 7) The Lender has not modified in any respect, has not satisfied, canceled, subordinated, or compromised in whole or in part the Mortgage Loan indebtedness and has not released the mortgaged property in whole or in part from the lien of the indebtedness evidenced by the note and secured by the Mortgage; and the terms, covenants, and conditions of the note evidencing the Mortgage Loan and the Mortgage securing the Mortgage Loan have not been waived, altered, or modified in any respect that would materially affect the validity or enforceability of the Mortgage Loan or the security of the lien of the Mortgage;
- 8) The real property securing the Mortgage Loan is a Qualified Dwelling;
- 9) The Qualified Dwelling is covered by a valid and existing policy of hazard insurance meeting the requirements of the Authority;
- 10) The Lender has complied as follows:
  - A) as to each FHA-insured Mortgage Loan, with the National Housing Act (12 U.S.C. Section 1701 et seq.) as amended and supplemented, all rules and regulations issued thereunder and all administrative publications. The FHA insurance shall be in full force and effect and, upon purchase by the Authority of the Mortgage Loan, shall inure to the benefit of the Authority;
  - B) as to each Mortgage Loan guaranteed by the VA or FmHA, with the Servicemen's Readjustment Act (38 U.S.C. Section 1803 et seq.), the Consolidated Farm and Rural Development Act (7 U.S.C. Section 1921 et seq.), Title V of the Housing Act of 1949 (42 U.S.C. Sections 1471-1482) or other applicable federal law, as amended and supplemented, all rules and regulations issued thereunder and all administrative

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- C) as to each Mortgage Loan insured by a private mortgage insurance company, with all rules and requirements of such company. Any such insurance shall be in full force and effect and, upon purchase by the Authority of the Mortgage Loan, shall inure to the benefit of the Authority;
- 11) The Mortgage Loan is covered by a fully paid mortgagee's title insurance policy in such form as the Authority may require; and
- 12) To the best of Lender's information, knowledge and belief, no condition exists that would prohibit the purchase of the Mortgage Loan by the Authority under all applicable rules, regulations and contractual provisions.
- b) If a Lender fails to deliver Mortgage Loans to the Authority in the amount, on the terms and conditions, and within the time period set forth in the Mortgage Purchase Agreement, the Authority may, if it so chooses and in its sole discretion, reallocate all or part of the unused portion of that Lender's Allocation to other Lenders; redeem all or part of the applicable Bonds issued with respect to such unused portion of the commitment, but only if permitted by the Series Resolution of the Authority authorizing issuance of the Bonds; or undertake a combination of the above. The Mortgage Purchase Agreement may provide for liquidated damages, extension fees, and forfeiture of all or a part of any letter of credit or cash deposit deposited with the Authority by the Lender if the Authority makes any reallocation pursuant to this subsection.
- c) The Mortgage Purchase Agreement shall provide that the Authority shall have the right to require the Lender to repurchase Mortgage Loans sold to the Authority by the Lender if the Director, Deputy Director or Assistant Director determines that the Lender has failed to comply with the requirements of either this Part or its contracts and agreements with the Authority under the program.

**Section 260.404 Prepayment**

The Authority shall apply any Prepayment it receives as follows:

- a) to the purchase of additional Mortgage Loans in accordance with the requirements of the Program;
- b) to the purchase or redemption of Bonds, subject in each case to the requirements of the Series Resolutions relating to the issuance of its Bonds; or
- c) for other corporate purposes of the Authority, to the extent permitted by the Resolution.

**Section 260.405 Targeted Area Residences**

The Authority shall comply with the requirements of Section 143 of the Code in connection with the purchase of Mortgage Loans on Targeted Area Residences.



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**Section 260.406 Supplemental Mortgage Coverage**

If required by the applicable Series Resolution, the Authority shall obtain Supplemental Mortgage Coverage for a Series Program in an amount not less than that percentage of the original aggregate principal amount of the Mortgage Loans authorized by such Series Resolution. Such Supplemental Mortgage Coverage shall insure the Authority against losses arising from an event of default under any Mortgage Loan covered by the policy in an amount equal to the unpaid principal balance of, and accrued interest on, the Mortgage Loan and customary fees and expenses paid by the Authority to preserve and protect the mortgaged premises and to foreclose or otherwise dispose of such premises, such as real estate taxes, hazard and private insurance premiums and foreclosure expenses, less the amount received by the Authority under any other insurance policy on the Mortgage Loan or from disposition of such premises or substantially similar benefits.

**Section 260.407 Special Hazard Insurance**

If required by the applicable Series Resolution, the Authority shall obtain Special Hazard Insurance for a Series Program in the amount required by that Series Resolution.

## SUBPART E: ADMINISTRATIVE RULES

**Section 260.501 Restrictions on Return Realized by Lenders**

The Authority shall establish the maximum income that may be realized by any Lender and by any agent of any Lender from Mortgage Loans, including any fees, premiums, bonuses, points charged by the Lender or the Lender's agent in connection with the making of Mortgage Loans. Such maximum income shall be set at such amounts as the Authority finds reasonably necessary to induce participation in the program by Lenders in order to accomplish the purposes of the Act, or to ensure compliance with arbitrage and income limitations of Section 143 of the Code.

**Section 260.502 Servicing of Mortgage Loans**

The Authority shall cause all Mortgage Loans purchased by the Authority to be serviced by a Servicer pursuant to the Servicing Agreement. Such Servicer may be the Authority or the Lender from which such Mortgage Loans are purchased.

**Section 260.503 Purchase of Authority Bonds**

No Lender or Eligible Borrower, including any "related person," as defined in Section 144(a)(3) of the Code, pursuant to any arrangement, formal or informal, direct or indirect, shall agree to purchase the Bonds or other obligations of the Authority in an amount related to the aggregate principal amount of the Mortgage Loans to be sold by or made to such Lender, Eligible Borrower or

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related person.

**Section 260.504 Equal Opportunity Lending**

In making Mortgage Loans, the Lender shall not deny such Mortgage Loans to any person or persons or discriminate against such person or persons in fixing the amount, interest rate, duration, or other terms and conditions of such loans on account of race, color, religion, age, sex, marital status, family status, handicap, ancestry, national origin or unfavorable military discharge; and shall otherwise be subject to all State and federal requirements with respect to non-discrimination in lending including, without limitation, Title VI of the U.S. Civil Rights Act of 1964 (42 U.S.C. Section 2000 et seq.), Title VIII of the U.S. Civil Rights Act of 1968 (42 U.S.C. Section 3604 et seq.), as amended by the Housing and Community Development Act of 1974 (42 U.S.C. Section 5301 et seq.), the Equal Credit Opportunity Act (15 U.S.C. Sections 1691-1691F), the Fair Credit Reporting Act (15 U.S.C. Sections 1681-1681t), the Fair Housing Act (42 U.S.C. 3601-20), the Illinois Human Rights Act [775 ILCS 5] and Section 13 of the Act.

**Section 260.505 Inspection of Books and Records**

Upon prior written notice, the Authority may inspect, examine, and copy the books and records of each Lender for the purpose of determining compliance with the Act and all contracts and agreements between the Authority and such Lender relating to the Program.

**Section 260.506 Termination**

The Authority shall retain the right to terminate its obligation to purchase Mortgage Loans associated with any particular issue of Bonds under the Program, subject to applicable State law and to its existing contractual obligations, including contractual obligations arising under a HomeBuilder Application, a Lender Application, a Notice of Reservation of Funds, a Notice of Acceptance, a Mortgage Purchase Agreement and a Servicing Agreement.

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part:

Ambulatory Surgical Treatment Center Licensing Requirements

2) Code Citation:

77 Ill. Adm. Code 205

3) Section Numbers:

205.115  
Amendments  
205.118  
Amendments  
205.120  
Amendments  
205.125  
Amendments  
205.130  
Amendments  
205.410  
Amendments  
205.620  
Amendments  
205.1400  
Amendments  
205.1410  
Amendments  
205.1740  
Amendments  
205.1750  
Amendments  
205.1760  
Amendments  
205.1780  
Amendments  
205.1790  
Amendments

Adopted Action:4) Statutory Authority:

Ambulatory Surgical Treatment Center Act  
Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 157-8.1 et seq.  
[210 ILCS 5]

5) Effective Date of Rules:

December 1, 1994

6) Does this Rulemaking Contain an Automatic Repeal Date? No7) Does this Rulemaking Contain Any Incorporations By Reference? Yes8) Date Filed in Agency's Principal Office:

December 1, 1994

9) Date Notice(s) of Proposal was Published in Illinois Register:

May 6, 1994 - 18 Ill. Reg. 6653

10) Has the Joint Committee on Administrative Rules issued a Statement of Objections to this/these Rules? No

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11) Difference Between Proposal and Final Version:

The following changes were made in response to comments received during the first notice or public comment period:

1. In Section 205.115(a)(1)(B)(i) "Health Care Facilities Handbook" was changed to "Standards for Health Care Facilities."
  2. In Section 205.115(a)(1)(D), the Department struck through "Report No. 33: Medical X-ray and Gamma Ray Protection for Energies up to 10 MeV Equipment Design and Use (1968), and Report No. 49: Medical X-ray and Gamma Ray Protection for Energies up to 10 MeV Structural Shielding Design and Evaluation (1976)" and added "Report No. 102: Medical X-ray, electron Beam and Gamma-Ray Protection for Energies up to 50 MeV (Equipment Design, Performance and Use (June, 1989)), and Report No. 49: Structural Shielding Design and Evaluation for Medical Use of X-rays and Gamma-Rays of Energies up to 10 MeV (September, 1976)..."
  3. In line 276, "a" was capitalized.
  4. In Section 205.410(e), the comma after "Act" was deleted.
  5. In Section 205.1400(c), the "s" in "downs" was stricken out.
  6. In Section 205.1400(c), the strike outs from "(Ill. Rev. Stat." and "ch. 111 1/2, par. 3101 et seq.)" were removed and "1991" was added after "1985."
  7. In Section 205.1400(c), "[430 ILCS 60]" was added.
  8. In Section 205.1400(g), a comma after "September" was added and underlined.
  9. In Section 205.1760, the comma after "volts" was stricken out.
- The following changes were made in response to comments and suggestions of the Joint Committee on Administrative Rules:
1. In the Main Source Note, "amended at 18 Ill. Reg. 11939, effective July 22, 1994;" was added.
  2. In Section 205.115, subsection (a) became an unlettered introductory statement, subsection (a)(1) was relettered as (a), and the subsequent subsections were relettered accordingly.
  3. Subsection 205.115(e) was reworded as follows: "All references to federal regulations and incorporation of standards of nationally recognized organizations in this Part refer to the regulations or

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standards on the date specified and do not include any additions or deletions subsequent to the date specified."

4. In Section 205.130(b) "of the request" was changed to "after the request."
5. In Section 205.130(c)(1) and (2) the comma was deleted after "or" at the end of the subsections.
6. In Section 205.1410, "NFPA" was added before "Life Safety Code."
7. In Section 205.1780(b)(1) and (c)(3), "NFPA 101" was changed to the NFPA Life Safety Code.

In addition, various typographical, grammatical and form changes were made in response to the comments from the Administrative Code Division and the Joint Committee on Administrative Rules.

- 12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee?

The Department has made all the changes to which it agreed with the Joint Committee.

- 13) Will the Rules Replace an Emergency Rule Currently in Effect? No

- 14) Are there any other Amendments Pending on this Part? No

- 15) Summary and Purpose of Rules:

The rules in Part 205 govern the licensure of Ambulatory Surgical Treatment Centers (ASTCs).

Sections 205.118, 205.120, 205.125: These Sections are being revised to include a requirement that the name and address of the Illinois Registered Agent or person(s) legally authorized to receive service of process for each facility be provided to the Department at the time of initial and renewal licensure, and that the Department be notified within seven days of any change. The requirement does not apply to those ambulatory surgical treatment centers that are individually owned. This requirement is necessary to ensure that the Department has current information regarding who would be the legal representative designated to receive notice should the Department initiate legal action against a facility.

Sections 205.120, 205.125, 205.130: These Sections are being amended to delete the requirement that the Department must approve all surgical procedures to be performed in an ambulatory surgical treatment center. The amended rule will require that the facility's Consulting Committee

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approve all surgical procedures prior to their performance in an ambulatory surgical treatment center. Sections 205.120 and 205.125 are being amended to require that documentation of the Consulting Committee's approval be submitted with the initial and renewal applications. The amendments to Section 205.130 will require that the facility submit clinical statistical data regarding the number and type of surgical procedures performed, and any complications, hospitalizations or deaths associated with a procedure, on a quarterly basis. If, after reviewing the quarterly data, the Department questions the safety of a procedure because of the complications or hospitalizations reported as being associated with it, the facility's consulting committee will be required to review the reported cases and submit the results of that review to the Department within 30 days. The Department will be able to disapprove the performance of a procedure in a facility based upon any one of three conditions:

- 1) that the Department's review of the clinical statistical data and the Consulting Committee's report indicate that the procedure cannot be safely performed in an ambulatory surgical treatment center as indicated by life-threatening or repeated complications, or repeated postoperative hospitalizations; or
- 2) that the results of a complaint investigation indicated that the procedure in question is potentially life threatening or results in repeated complications or hospitalizations; or,
- 3) that evidence becomes available from other sources, such as a national study or a warning from the Food and Drug Administration or other regulatory body, that the procedure cannot be safely performed in an ambulatory setting.

The Department feels these amendments are appropriate for a number of reasons. The current requirement that all surgical procedures be submitted for approval has proven to be unduly burdensome for both the providers of the service and the Department. Many procedures are routinely performed in an ambulatory setting, and the majority have also been approved by the Health Care Financing Administration for performance in Medicare certified ambulatory surgery centers. To require Department approval prior to the performance of such procedures is duplicative and somewhat superfluous, since many of the procedures can be performed in a physician's office and all may be performed in a hospital-based ambulatory surgery setting without the Department's approval. The Department has also been unable to identify any other state that requires prior state approval of surgical procedures. The facility's Consulting Committee is the professional body held accountable for all other aspects of the care provided in an ambulatory surgical treatment center. Placing the responsibility for approval of the surgical procedures to be performed in a facility on the Consulting Committee is consistent with the remainder of the licensing requirements. The Department feels that frequent review of



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the procedures actually performed in a surgery center, and any subsequent complications or hospitalizations, will be more effective in ensuring the health and safety of the public than reviewing pages of surgical procedures that may be performed in the facility. The quarterly reports will allow the Department to hold the surgery centers more accountable for patient outcomes rather than mere paperwork compliance. Such a methodology will be a far more effective use of Department and facility resources than the previous extensive review process. The new requirements also set forth more clearly the conditions under which the Department will take action to disapprove a surgical procedure that has been shown to be associated with adverse patient outcomes.

Section 205.410: This amendment adds a new item under Section 205.410 that requires facilities using laser equipment to have documentation of registration of the equipment with the Illinois Department of Nuclear Safety as is required by the Laser System Act (420 ILCS 55). The facility must also have a written safety and maintenance program related to the use of the laser equipment. This requirement is necessary to ensure that facilities have complied with the registration requirements and that the laser equipment is being maintained and used in a way to insure patient and staff safety.

Section 205.620: This Section is being amended to require that the clinical statistical data that were previously reportable on an annual basis be reported quarterly, with reports due January 31, April 30, July 31 and October 31 for the previous calendar quarter. The reports will be used to evaluate patient outcomes on a more frequent basis and will be reviewed in conjunction with the amendments to Section 205.130 to evaluate the appropriateness of the surgical procedures performed. Increasing the frequency with which the reports are required will also force surgery centers to review the data on a quarterly rather than an annual basis, thus creating a more effective method of quality control within the facility.

Sections 205.115, 205.1400, 205.1410, 205.1740, 205.1750, 205.1760, 205.1780 and 205.1790: These Sections have been amended to update references to the National Fire Protection Association's (NFPA) Life Safety Code and various State statutes. The Life Safety Code reference is being updated for two reasons. First, the 1981 Code is no longer in print and is unavailable to facilities seeking to comply with the Ambulatory Surgical Treatment Center Licensing Requirements. Second, the 1991 Code provides greater flexibility in the use of equivalency concepts. In addition, NFPA 99, the Health Care Facilities Code, incorporates standards previously referenced in Appendix b of the Life Safety Code into one operational and maintenance standard. Use of the updated Code will facilitate provider compliance and eliminate confusion with the standards in the old code.

16) Information and Questions regarding this Adopted Rulemaking shall be

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## NOTICE OF ADOPTED AMENDMENTS

directed to:

Ms. Gail DeVito, Division of Governmental Affairs, Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761, 217/782-6187.

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## DEPARTMENT OF PUBLIC HEALTH

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PART 205  
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## TABLE A General Pressure Relationships and Ventilation Rates of Ambulatory Surgery Area

AUTHORITY: Implementing and authorized by the Ambulatory Surgical Treatment Center Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 157-8.1 et seq.) [210 ILCS 5].

SOURCE: Amended July 18, 1974; emergency amendment at 3 Ill. Reg. 10, p. 43, effective February 23, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 30, p. 371, effective July 23, 1979; amended at 5 Ill. Reg. 12756, effective November 4, 1981; amended at 6 Ill. Reg. 6220, 6225, and 6226, effective May 17, 1982; amended at 6 Ill. Reg. 10974, effective August 30, 1982; amended at 6 Ill. Reg. 1337, effective October 20, 1982; amended at 7 Ill. Reg. 7640, effective June 14, 1983; codified at 8 Ill. Reg. 9367; amended at 9 Ill. Reg. 12014, effective July 23, 1985; amended at 10 Ill. Reg. 8806, effective June 1, 1986; amended at 10 Ill. Reg. 21906, effective January 15, 1987; amended at 11 Ill. Reg. 14786, effective October 1, 1987; amended at 12 Ill. Reg. 3743, effective February 15, 1988; amended at 12 Ill. Reg. 15573, effective October 1, 1988; amended at 13 Ill. Reg. 16025, effective November 1, 1989; emergency amendment at 14 Ill. Reg. 5596, effective March 26, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13802, effective August 15, 1990; amended at 15 Ill. Reg. 17770, effective December 1, 1991; amended at 17 Ill. Reg. 3507, effective March 3, 1993; amended at 18 Ill. Reg. 11939, effective July 22, 1994; amended at 18 Ill. Reg. 17250, effective **DEC 01 1994**.

SUBPART A: GENERAL

Section 205.115 Incorporated and Referenced Materials

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a) The following regulations, standards, and statutes are incorporated or referenced in this Part:

a) Private and professional association standards:

1) American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), Standard No. 52-68: Methods of Testing Air Cleaning Devices Used in General Ventilation for Removing Particulate Matter (1968) [See Section 205.1540(1)] and Handbook of Fundamentals (1981) [See Section 205.1540(p)], which may be obtained from the National Association of American Society of Heating, Refrigerating, and Air Conditioning, United Engineering Center, 345 East 47th Street, New York, New York 10017.

2) National Fire Protection Association (NFPA)-Chapter-127-Section 12-6--(New--Ambulatory--Health-Care-Centers)-and-Chapter-26-(New Business-Occupancies)-of Standard No. 101: Life Safety Code (1981) [See Section 205.1400(f)] and the following standards, which may be obtained from the National Fire Protection Association, Batterymarch Park, Massachusetts 02169.

A) No. 56A-(1978) 99 (1990): Inhalation-Anesthetics Standards for Health Care Facilities. [See Section 205.1410]

B) No. 70 (1984) 1993: National Electrical Code. [See Sections 205.1760, 205.1770 and 205.1780]

C) No. 80 (1981) 1990: Standard for Fire Doors and Windows. [See Section 205.1400(f)]

D) No. 90A (1978) 1989: Installation of Air Conditioning and Ventilating Systems. [See Section 205.1540]

E) No. 90B (1988) 1989: Installation of Warm Air Heating and Air Conditioning Systems. [See Section 205.1540]

F) No. 255 (1979) 1990: Method of Test of Surface Burning Characteristics of Building Materials. [See Sections 205.1410 and 205.1520]

G) No. 701 (1977) 1989: Standard Methods of Fire Tests for Flame-Resistant Textiles and Films. [See Section 205.1400(j)]

3) American Hospital Association, "Infection Control in the Hospital" (1979), which may be obtained from the American Hospital Association, 840 North Lake Shore Drive, Chicago, Illinois 60601. [See Section 205.410]

4) National Council on Radiation Protection (NCRP), Report No. 39--Medical X-ray and Gamma-Ray Protection for Energies up to 10-MeV--Equipment--Design--and--Use--(1968)--and--Report--No. 49--Medical X-ray and Gamma-Ray Protection for Energies up to 10-MeV--Structural Shielding Design and Evaluation--(1976) Report No. 102: Medical X-ray, Electron Beam and Gamma-Ray Protection for Energies up to 50 MeV (Equipment Design, Performance and Use (June, 1989)), and Report No. 49: Structural Shielding Design and Evaluation for Medical Use of X-rays and Gamma-Rays of Energies up to 10 MeV (September, 1976), which may be obtained from the National Council on Radiation Protection and Measurement, P.O. Box 30175, Washington, D.C. 20014. [See Section



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include at least the following items: detailed balance sheets, statements of income, and statements of expense. (Section 7b of the Act)

- c) Every facility licensed under this Act, and any premises proposed to be conducted as a facility by an applicant for a license, shall be open during its regular business hours to an inspection authorized in writing by the Director. No notice need be given to any person prior to any inspection. (Section 9 of the Act)
- d) Any corporation operating an ambulatory surgical treatment center devoted primarily to providing facilities for abortion must have a physician who is licensed to practice medicine in all of its branches and is actively engaged in the practice of medicine at the center, on the Board of Directors as a condition to licensure of the center. (Section 6.1 of the Act)
- e) Each license shall be issued only for the premises and persons named in the application and shall not be transferable or assignable (Section 6 of the Act). Only those facilities, services, programs and procedures included in the application shall be licensed. A new application is required for any one or more of the following:
  - 1) Change in ownership of the facility.
  - 2) Change in location of the facility.
  - 3) Any remodeling or other change in the facility's physical plant which increases or decreases the number of rooms in which surgical procedures are performed.
- f) The license shall be valid for one year, unless sooner suspended or revoked, and shall be renewable annually upon approval by the Department and payment of a license fee of \$300 as provided in Section 205.125. (Section 6 of the Act)
- g) The license shall be posted in a conspicuous place on the licensed premises. A placard or registry of all physicians on staff in the facility shall be centrally located and available for inspection to any interested persons. (Section 6 of the Act)
- h) The facility shall give written notice to the Department no later than seven days after any one or more of the following:
  - 1) Any personnel changes involving the facility's administrative staff, medical director, staff physicians, or supervising nurse.
  - 2) For a corporation, any change in any shareholders equity involving 5% or more interest.
  - 3) Any change in the Registered Agent or person(s) legally authorized to receive service of process for the facility.

(Source: Amended at 18 Ill. Reg. 17250, effective DEC 01 1994)

## Section 205.120 Application for Initial Licensure

- a) An application for license shall be made to the Department on forms provided by the Department (Section 5 of the Act). The application shall be submitted not less than sixty days prior to the date of

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- 205.1400(g))
- B\*5) Underwriters Laboratories, Inc. (UL), Publication No. 181 (1974): Air Ducts; which may be obtained from Underwriters Laboratories, Inc., 207 East Ohio Street, Chicago, Illinois 60611. [See Section 205.1710]
- 2\*6) Federal statutes and rules: Rules of the Health Care Financing Administration governing Medicare program coverage of Ambulatory Surgical Services (42 CFR 416) under Sections 1832(a)(2) and 1833 of the Social Security Act (42 U.S.C. 1395(a)(2) and 1395i). [See definition of "Ambulatory Surgical Treatment Center" in Section 205.110 and Section 205.130(d)]
- 3\*7) State of Illinois Statutes:
  - A\*7) Ambulatory Surgical Treatment Center Act (Ill. Rev. Stat. 1987 1991, ch. 111 1/2, par. 157-8.1 et seq.) [210 ILCS 5]
  - B\*2) Illinois Dental Practice Act (Ill. Rev. Stat. 1987 1991, ch. 111, par. 2301 et seq.) [225 ILCS 25]
  - C\*3) Illinois Nursing Act of 1987 (Ill. Rev. Stat. 1987 1991, ch. 111, par. 3501 et seq.) [225 ILCS 65]
  - B\*4) Podiatric Medical Practice Act of 1987 (Ill. Rev. Stat. 1987 1991, ch. 111, par. 4801 et seq.) [225 ILCS 100]
  - B\*5) Safety Glazing Materials Act (Ill. Rev. Stat. 1987 1991, ch. 111 1/2, pars. 3101 et seq.) [430 ILCS 60]
- 4\*8) State of Illinois Rules:
  - 1\*4) Department of Public Health, Illinois Plumbing Code (77 Ill. Adm. Code 890)
  - 2\*8) Department of Nuclear Safety, Radiation Protection (32 Ill. Adm. Code: Chapter I, Subchapter b)
- be) All references to **incorporations-by-reference** of federal regulations and incorporations of the standards of nationally recognized organizations in this Part refer to the regulations or standards on the date specified and do not include any additions or deletions subsequent to the date specified.

(Source: Amended at 18 Ill. Reg. 17250, effective DEC 01 1994)

## Section 205.118 Conditions of Licensure

- a) The applicant shall file a statement of ownership as provided in Section 205.120(b)(1). The applicant shall agree to update the information required in the statement of ownership every six months from the initial date of filing. (Section 7a of the Act)
- b) Financial Statements
  - 1) Financial statements shall be filed annually on or before April 1, of each year for the previous calendar year, or within three months after the close of the fiscal period of the licensee.
  - 2) Financial statements shall be filed with the Department on forms provided by the Department or on annual financial statements prepared on forms used by the applicant or licensee. They shall

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b) intended operation and shall contain the information required under the Act and this Part.

1) The initial application shall include the following information:

1) The names and addresses of all persons who own the facility, any names under which any of these persons do business, and the type of ownership of the facility (for example, individual, partnership, corporation, or association). In addition, a corporation shall submit:

A) A copy of its certificate of incorporation,  
B) A list of the title, name, and address of each of its corporate officers,  
C) A list of the name and address of each of its shareholders holding more than five percent of the shares.

2) For other than individual ownership, the name and address of the Illinois Registered Agent or person(s) legally authorized to receive service of process for the facility.

23) The names and addresses of all persons under contract to manage or operate the facility.

34) The location of the facility.

45) Information regarding any conviction of the applicant, or if the applicant is a firm, partnership or association, of any of its members, or if the applicant is a corporation, of any of its officers or directors, or of the person designated to manage or supervise the facility, of a felony, or of two or more misdemeanors involving moral turpitude in the last five years.

56) The name, address, telephone number, education, experience, credentials and any professional licensure or certification of the following persons:

A) Administrator.  
B) Medical Director.  
C) Supervising Nurse.

67) A list of the medical staff including name, specialty and license number.

78) A list of all staff personnel including name, position, education, experience, and any professional licensure or certification.

89) A narrative description of the facility including but not limited to interviewing, examination, surgical and recovery room facilities.

910) A description of services to be provided by the facility including a list of surgical procedures to be performed and documentation of the Consulting Committee's approval of the list.

~~subject-to-approval-in--accordance-with--the--requirements-of~~  
~~Section-205-330-~~

1011) Documentation of compliance with Section 205.350 of this Part.

112) A copy of the transfer agreement with a licensed hospital within approximately 15 minutes travel time of the facility or other documentation demonstrating compliance with Section 205.540(d) of this Part.

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1213) A copy of the organizational plan of the facility (see Section 205.220).

1314) Schematic architectural plans.

1415) Documentation of a permit as required by the Illinois Health Facilities Planning Act (Ill. Rev. Stat. 1987 1991, ch. 111 1/2, par. 1151 et seq.) [20 ILCS 3960].

1516) Documentation of compliance with all applicable local building, utility, and safety codes.

c) The application shall be signed by the applicant and shall include a verification form acknowledging the application to be true and complete and certifying that the applicant has knowledge of and understands the action required to comply with the Act and licensing requirements. The form shall be verified by a notary public. (Section 5 of the Act)

d) The license application shall be accompanied by a license fee of \$500. (Section 5 of the Act)

(Source: Amended at 18 Ill. Reg. 17250, effective

DEC 01 1994)

## Section 205.125 Application for License Renewal

a) Application for license renewal shall be submitted on forms provided by the Department. Application for license renewal shall be submitted to the Department not less than 30 days prior to the expiration date.

b) An application for license renewal shall include the following information:

1) The names and addresses of all persons who own the facility, any names under which any of these persons do business, and the type of ownership of the facility (for example, individual, partnership, corporation, or association). In addition, a corporation shall submit:

A) A list of the title, name and address of each of its corporate officers.  
B) A list of the name and address of each of its shareholders holding more than 5% of the shares.

2) For other than individual ownership, the name and address of the Illinois Registered Agent or person(s) legally authorized to receive service of process for the facility.

23) The names and addresses of all persons under contract to manage or operate the facility.

34) The location of the facility.

45) Information regarding any conviction of the applicant, or if the applicant is a firm, partnership or association, of any of its members, or if the applicant is a corporation, of any of its officers or directors, or of the person designated to manage or supervise the facility, of a felony, or of two or more misdemeanors involving moral turpitude during the previous year.

56) The name, address, and telephone number of the administrator,



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medical director, and supervising nurse. In addition, the education, experience, credentials and any professional licensure or certification of these individuals must also be submitted if this information was not submitted with the initial application or a prior renewal application or if this information has changed since the prior submission.

67) A list of the medical staff including name, specialty and license number.

78) A list of all staff personnel including name, position, education, experience, and any professional licensure or certification.

89) A list of surgical procedures being performed at the facility and documentation of the Consulting Committee's approval of the list. Any new procedures which are included in this list must be identified and are subject to approval in accordance with the requirements of Section 205.130.

c) The application shall be signed by the applicant and shall include a verification form acknowledging the application to be true and complete and certifying that the applicant has knowledge of and understands the action required to comply with the Act and licensing requirements. The form shall be verified by a notary public. (Section 5 of the Act)

d) The license renewal application shall be accompanied by a license renewal fee of \$300. (Section 6 of the Act)

(Source: Amended at 18 Ill. Reg. 17250, effective DEC 01 1994)

## Section 205.130 Approval of Surgical Procedures

a) The list of surgical procedures performed by a center shall be included in the application as provided in Section 205.120 and in the renewal application as provided in Section 205.125. New procedures may be added by the center by submitting a list of the new procedures to the Department. All new procedures shall be approved by the center's Consulting Committee prior to submission to the Department. The Department will respond to a request to add new procedures no later than thirty days after receipt of the request. All surgical procedures to be performed in a facility must be approved by the facility's Consulting Committee prior to their performance, and annually reviewed and reapproved. Documentation of the approval must be submitted with the initial and renewal applications.

b) No procedure may be performed in a center without the prior approval of the Department as provided in this Section. Procedures may be approved as part of the list of procedures in the application, in the renewal application, or in a separate submission under this Section. If, after reviewing the quarterly data submission required by Section 205.620 of this Part, the Department questions the safety of a procedure being performed because of the complications of

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postoperative hospitalizations reported as being associated with the procedure, the Department shall request that the facility's Consulting Committee review the reported cases and submit the findings of that review within 30 days after the request.

c) The Department shall review all procedures on the application, renewal application, and any separate submission under this Section to insure that such procedures may be performed safely by the center on an out-patient basis. The Department will disapprove any procedure which its finds is generally emergency or life-threatening in nature. The Department will only disapprove a procedure following review and concurrence in the disapproval by the Director or by a qualified physician designated by the Director. The Department may disapprove a procedure based upon the following:

1) The Department's review of the statistical information submitted in accordance with Section 205.620 of this Part, and the Consulting Committee's review required in subsection (b) above indicate that the procedure cannot be safely performed in the surgery center as indicated by life threatening or repeated complications, or repeated postoperative hospitalizations; or

2) The results of a complaint investigation indicate that the procedure is potentially life threatening or results in repeated complications or postoperative hospitalizations; or

3) Evidence becomes available from other sources, such as a national study or a warning from the Food and Drug Administration or other regulatory body, that the procedure cannot be safely performed in an ambulatory setting.

d) The criteria and list of procedures developed by the Health-Care Financing Administration for coverage of surgical procedures performed in ambulatory surgical centers for Medicare payment (42 CFR 416.65) will be considered by the Department on an advisory basis as a general guide to generally recognized out-patient procedures. Compliance with the criteria developed by the Health-Care Financing Administration or presence of a procedure on the list developed by the Health-Care Financing Administration is not required for approval by the Department of a procedure for performance in a center.

e) When the Department's professional health care staff questions the safety of a procedure to be performed on an out-patient basis, the Department will request the facility to submit the following information:

1) A statement that the procedure has been reviewed by the Consulting Committee of the center and that the Consulting Committee believes that the procedure may be performed safely on an out-patient basis;

2) A copy of any necessary protocol for the selection of patients for the procedure, including any risk factors which will be considered in patient selection;

3) A copy of any special policies and procedures which will be used by the center to insure that the procedures are performed safely;

4) A statement that the credentials of the physician or physicians



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who will be performing the procedure have been reviewed by the Consulting Committee and found to be acceptable to insure that the procedure will be performed safely.

- 5) Verification that any necessary equipment is available to perform the procedure.

f) Upon receipt of the information from the facility, the Department will either approve the procedure, approve the procedure on a conditional basis, or disapprove the procedure as provided under subsection (c) of this Section. The Department will seek the recommendations of medical specialty or other professional consultants concerning the safety of specific procedures when it determines that such consultation is necessary to determine whether to approve or disapprove specific procedures. The Department will also consider any additional information submitted by medical specialists and other professional and by medical specialty and other professional societies in making these determinations.

g) When a procedure is approved on a conditional basis, the center must submit to the Department on a quarterly basis, the following information for the procedure:

- 1) Number of procedures performed;
- 2) Number of complications which occurred;
- 3) Number of post-operative hospital admissions which occurred;
- 4) Specific description of each case in which complications or post-operative hospital admission occurred;
- 5) Description of follow-up actions taken by the center on each case in which complications or post-operative hospital admission occurred;
- 6) A statement that this information has been reviewed by the Consulting Committee of the center.

h) When a death or complication which results in an emergency hospital admission occurs involving a procedure approved on a conditional basis, the center shall notify the Department no later than the end of the next business day, prepare a written report of the case, and arrange a meeting of the center's consulting committee to discuss the case and the safety of continuing performance of the procedure.

i) Failure of the center to submit the information required under subsection (g) or to notify the Department as required under subsection (h) shall be considered as a basis for withdrawal of approval of the procedure on a conditional basis.

j) The Department will evaluate the information submitted under subsection (g) and any notification required under subsection (h). The Department will notify the facility that procedure is disapproved and may no longer be performed on a conditional basis, when the evaluation indicates that the safety of the procedure has not been established.

k) The Department will inform the facility that a procedure is approved and is no longer subject to the requirements for procedures approved on a conditional basis, when the Department finds that the information submitted by the center establishes the safety of the procedure.

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id) The facility may appeal a decision by the Department under this Section by requesting a hearing on the decision within thirty days of notification of the decision. Hearings on appeals The Director shall issue a Notice of Disapproval, which shall be effective immediately, and which shall provide the facility with fifteen days in which to request a hearing to contest the Notice of Disapproval. Such hearing will be conducted by the Department in accordance with the Department's administrative hearing rules (77 Ill. Adm. Code 100) and the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100].

(Source: Amended at 18 Ill. Reg. 17250, effective DEC 01 1994)

## SUBPART D: EQUIPMENT, SUPPLIES, AND FACILITY MAINTENANCE

## Section 205.410 Equipment

Equipment shall be in good working order and shall be available in numbers sufficient to provide good patient care based on the procedures to be performed in the facility.

- a) There shall be monitoring equipment, suction apparatus, oxygen and related items available within the surgical and postoperative recovery area. Cardiac pulmonary resuscitation equipment shall be available in all facilities.
- b) There shall be written procedures governing the care, use, sterilization, storage and disposal of all materials to insure that an adequate supply of sterile equipment is available for each procedure. The section on "Sterilization and Disinfection" from Infection Control in the Hospital, most recent edition, American Hospital Association, shall be used as the guideline.
- c) There shall be written procedures to assure safety in storage and use of inhalation anesthetics and medical gases. The current edition of the National Fire Protection Association Code (Standard No. 56a) shall be used as the standard in accordance with NFPA Standard No. 99.
- d) There shall be written procedures to assure the safety in storage and use of all narcotics and medications in accordance with state and federal law.
- e) In those facilities using laser equipment, there shall be documentation of registration with the Illinois Department of Nuclear Safety as is required by the Laser System Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 700 et seq.) [420 ILCS 55]. The facility shall also have a written safety and maintenance program related to the use of the laser equipment.

(Source: Amended 18 Ill. Reg. 17250, effective DEC 01 1994)

## SUBPART F: RECORDS AND REPORTS

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## Section 205.620 Statistical Data

- a) Each ambulatory surgical treatment center shall submit to the Department clinical statistical data including the following:
- 1) the total number of surgical cases treated by the center.
  - 2) the number of each specific surgical procedure performed.
  - 3) the number and type of complications reported, including the specific procedure associated with each complication.
  - 4) the number of patients requiring transfer to a licensed hospital for treatment of complications. List the procedure performed and the complication which prompted each transfer.
  - 5) the number of deaths, including the specific procedure which was performed.
- b) This clinical statistical data shall be submitted to the Department ~~not later than April 1 of each year for the preceding calendar year~~ quarterly, with reports due no later than January 31, April 30, July 31 and October 31 for the preceding quarter.

(Source: Amended at 18 Ill. Reg. 17250, effective DEC 01 1994)

SUBPART I: BUILDING DESIGN, CONSTRUCTION STANDARDS, AND  
PHYSICAL REQUIREMENTS

## Section 205.1400 Details and Finishes

- a) Corridors and Exits
- 1) Minimum public corridor width shall be 5'-0", except those corridors where patients are transported in stretchers or carts shall be 8'-0".
  - 2) The facility or section shall have at least two exits remote from each other. ~~Other details relating to exits and fire safety shall be in accordance with Chapter 12, Section 12-6 (New Ambulatory Health-Care Centers) and Chapter 26 (New Business Occupancies) of the National Fire Protection Association's Standard No. 101, Life-Safety Code (1981). Specific provisions of this Part which are more stringent than the requirements of the code shall govern.~~
  - 3) Items such as drinking fountains, telephone booths, vending machines, and portable equipment shall be located so as not to restrict corridor traffic or reduce the corridor width below the required minimum.
- b) Doors
- 1) All doors to toilets which may be used by patients shall be equipped with hardware which will permit access in any emergency.
  - 2) The minimum width of doors for patient access to examination and treatment rooms shall be 3'-0".
  - 3) The minimum width of doors to rooms needing access for stretchers (procedure rooms, recovery) shall be 3'-8".

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- 4) Doors on all openings between corridors and rooms or spaces subject to occupancy, except elevator doors, shall be swing type. Doors, sidelights, borrowed lights, and windows in which the glazing extends ~~down~~ down to within 18 inches of the floor (thereby creating possibility of accidental breakage by pedestrian traffic) shall be glazed with safety glass, wire glass, or plastic glazing material that will resist breaking and will not create dangerous cutting edges when broken in accordance with the State of Illinois Safety Glazing Materials Act (Ill. Rev. Stat. 1905 1991, ch. 111 1/2, par. 3101 et seq.) [430 ILCS 60]. Similar materials shall be used in wall openings unless required otherwise for fire safety.
- d) Thresholds and expansion joint covers shall be made flush with the floor surface to facilitate use of wheelchairs and carts.
- e) Air dryers, or paper towel dispensers and waste receptacles shall be provided at all handwashing fixtures.
- f) Where labeled fire doors are required, these shall be certified by an independent testing laboratory as meeting the construction requirements equal to those for fire doors in National Fire Protection Association (NFPA) Standard No. 80: "Standard for Fire Doors and Windows" (19811990). Reference to a labeled fire door shall be construed to include labeled frame and hardware.
- g) Radiation protection requirements of X-ray and gamma ray installations shall conform to the requirements of the Department of Nuclear Safety's radiation protection rules (32 Ill. Adm. Code: Chapter 11, Subchapter b) and should follow guidelines of National Council on Radiation Protection (NCRP) reports #33 No. 102 ("Medical X-ray, Electron Beam and Gamma-Ray Protection for Energies up to 10 50 MeV (Equipment Design, Performance and Use)") dated February 1968 June, 1989, and # No. 49 ("Medical X-ray and Gamma-Ray Protection for Energies up to 10-MeV Structural Shielding Design and Evaluation for Medical Use of X-rays and Gamma-Rays of Energies up to 10 MeV") dated September, 1976. Provisions shall be made for testing and completed installation before use, and all defects must be corrected before use.
- h) The minimum ceiling height shall be 8'-0" with the following exceptions:
- 1) Boiler rooms, if provided, shall have ceiling clearance not less than 2'-6" above the main boiler header and connecting piping.
  - 2) Radiographic and other rooms containing ceiling-mounted equipment and including those with ceiling-mounted surgical light fixtures shall have height required to accommodate the equipment and/or fixture.
  - 3) Ceilings in corridors, storage rooms, toilet rooms, and other minor rooms may be not less than 7'-8".
  - 4) Suspended tracks, rails, and pipes located in path of normal traffic shall be not less than 6'-8" above the floor.
- i) Flammable Anesthetics are prohibited.
- j) Cubicle curtains and draperies shall be noncombustible or rendered flame retardant and shall pass both the large and small scale tests of NFPA Standard No. 701: "Standard Methods of Fire Tests for



## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

Flame-Resistant Textiles and Films" (#9771989).

k) Floor materials shall be easily cleanable and have wear resistance appropriate for the location involved.

1) In all areas frequently subject to wet cleaning methods, floor materials shall not be physically affected by germicidal and cleaning solutions.

2) Floors that are subject to traffic while wet, shall have a nonslip surface.

1) Wall finishes shall be washable and, in the immediate area of plumbing fixtures, shall be smooth and moisture resistant.

m) Floor and wall penetrations by pipes, ducts, and conduits shall be tightly sealed to minimize entry of rodents and insects. Joints of structural elements shall be similarly sealed.

n) Ceiling Finishes

1) Ceilings shall be cleanable, and those in sensitive areas such as surgical rooms shall be readily washable and without crevices that can retain dirt particles. These sensitive areas shall have a finished ceiling, covering all overhead ductwork and piping.

2) Finished ceilings may be omitted in mechanical and equipment spaces, shops, general storage areas, and similar spaces, unless required for fire-resistive purposes.

3) Acoustical ceilings are recommended in corridors, multipurpose rooms, and waiting areas.

(Source: Amended at 18 Ill. Reg. 17 25 0, effective DEC 01 1994)

### Section 205.1410 Construction, Including Fire-Resistive Requirements, and Life Safety

Buildings shall meet the construction requirements and life safety requirements established in Sections 12-6 and 13-6 "New and Existing Ambulatory Health Care Centers" of the 1991 Edition of the NFPA Life Safety Code (no later editions or amendments included).

a) Buildings shall be of the following heights and construction types with automatic extinguishment system identified in the following table:

Construction Type	Stories		
	1	2	3 Over-3
2-hour-Fire-Resistive	X	X	X
1-hour-Protected-Noncombustible	X	X	X
Noncombustible	X	X	X
Heavy-Timber	X	X	X
1-hour-Protected-Ordinary	X	X	X

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1-hour-Protected-Wood-Frame  
Ordinary

X\*  
X\*

## Key:

X\*-- Permitted types of construction;  
\*-- Building requires automatic extinguishment protection except in procedure rooms; Smoke detectors must be installed in procedure rooms.

b) Walls enclosing stairways, elevator shafts, chutes, and other vertical shafts, boiler rooms, and storage rooms containing combustible material shall be of not less than one-hour fire-resistive construction except in buildings over 3 stories in height where 2-hour enclosure is required.

c) Building insulation materials unless sealed on all sides and edges shall have a flame spread rating of 25 or less and a smoke-developed rating of 450 or less when tested in accordance with NFPA-Standard 257--"Method of Test of Surface Burning Characteristics of Building Materials" (1977).

d) Elevators and Bombwaiters  
1) All ambulatory surgical treatment centers located above the first floor of the building shall have an electric or electrohydraulic elevator.

2) Inspections and tests shall be made and written certification be furnished that the installation meets the requirements of all applicable safety regulations and codes.

(Source: Amended at 18 Ill. Reg. 17 25 0, effective DEC 01 1994)

## SUBPART L: ELECTRICAL

## Section 205.1740 Lighting

a) All spaces occupied by people, machinery, and equipment within buildings, approaches to the buildings, and parking lots shall have lighting.

b) A portable or fixed examination light shall be provided in each examination and treatment room.

c) Procedure rooms shall have general lighting, in addition to local lighting provided by adequate lighting units at the procedure tables. Each lighting unit at the tables, except for portable units, shall be connected to an independent circuit.

(Source: Amended at 18 Ill. Reg. 17 25 0, effective DEC 01 1994)



## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

## Section 205.1750 Receptacles (Convenience Outlets)

- a) Duplex grounding type receptacles shall be installed in all areas or rooms in sufficient quantities for the tasks to be performed.
- b) A minimum of one duplex receptacle for each wait shall be installed in each work area or room, other than storage or locker rooms. The duplex receptacles for general procedures and minor procedures such as laser or endoscopy must be hospital grade.
- c) A minimum of two duplex receptacles shall be located convenient to each examination and work table, and to each Stage I recovery space.
- d) A minimum of one duplex receptacle for each wall shall be installed in each work area or room, other than storage or locker room.
- e) Duplex receptacles for cleaning equipment and general use shall be installed approximately 50" apart in all corridors and within 25' of ends of corridors.

(Source: Amended at 18 Ill. Reg. 17250, effective DEC 01 1994)

## Section 205.1760 Grounding

In areas used for patient care or treatment, all receptacles operating at over 100 volts shall be grounded by an insulated copper conductor, sized in accordance with Table 250-95 of the 1975 1993 National Electrical Code, and installed with the branch conductors supplying these receptacles.

(Source: Amended at 18 Ill. Reg. 17250, effective DEC 01 1994)

## Section 205.1780 Emergency Electric Service

- a) An emergency source of electricity shall be provided and connected to certain circuits for lighting to provide electricity during an interruption of the normal electric supply.
- b) The source of this emergency electric service shall be a generator set, storage batteries or unit equipment as described in Art. 700-6 NFPA-Standard-70. Ambulatory surgical treatment centers that do not administer inhalation anesthetics in any concentration, or that have no patients requiring electrical life-support equipment, shall be permitted to use a battery system for emergency power. The following is required:
  - 1) Illumination of means of egress as required in the NFPA Life Safety Code.
  - 2) Illumination of procedure and recovery rooms.
  - 3) Illumination of exit and exit directional signs.
  - 4) Fire alarm and alarms required for nonflammable medical gas systems, if nonflammable medical gas systems are installed.

- e) Emergency electric service shall be provided to the following:
  - 1) Illumination of means of egress as required in NFPA-Standard-101.

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## NOTICE OF ADOPTED AMENDMENTS

- 2) Illumination for exit signs and exit directional signs as required in NFPA-Standard-101.
- 3) Alarm systems including fire alarms activated at manual stations, water flow alarm devices of sprinkler system if electrically operated, fire and smoke detecting systems, and alarms required for nonflammable medical gas systems if installed.
- 4) General illumination and selected receptacles in the vicinity of the generator set, if installed.
- 5) Illumination in procedure and recovery room.
- 6) If life support equipment will be utilized to maintain heart action, breathing, to control bleeding, or other essential functions, receptacles connected to emergency power sources shall be installed.
- c) Ambulatory surgical treatment centers in which inhalation anesthetics are administered in any concentration to patients or that have patients requiring electrically operated or mechanical life support devices must be provided with an emergency generator. This generator must supply a limited amount of lighting and power service that is essential for life safety and orderly cessation of a procedure during the time normal service is interrupted for any reason. The maximum time of automatic transfer is 10 seconds. The following is required:
  - 1) Task illumination that is related to the safety of life and that is necessary for the safe cessation of procedures in progress.
  - 2) All anesthesia and resuscitative equipment used in areas where inhalation anesthetics are administered to patients must include alarms and alerting devices.
  - 3) Illumination of means of egress as required in the NFPA Life Safety Code.
  - 4) Illumination of exit and directional signs.
  - 5) Fire alarm and nonflammable medical gas system alarms, if nonflammable medical gas systems are installed.
  - 6) General illumination and selected receptacles in the vicinity of the generator set.

(Source: Amended DEC 01 1994 at 18 Ill. Reg. 17250, effective DEC 01 1994)

## Section 205.1790 Fire Alarm System

A manually operated electrically supervised fire alarm system shall be installed in each facility. The following is required:

- a) Manual pull stations at all exit doors.
- b) Audio/visual signal devices in compliance with the State of Illinois Accessibility Code (71 Ill. Adm. Code 400).
- c) A presignal system is not permitted; all signals must automatically transmit to the nearest fire department or central receiving station.
- d) If a sprinkler system is installed, the required water flow alarm device and electrical tamper switches must be interconnected to the fire alarm system.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

- e) If a smoke barrier is installed, the doors must normally be kept closed or, if held open, they must be equipped with magnetic hold-open devices that will release the door upon activation of the fire alarm system and a local smoke detector.
- f) Automatic smoke detectors are required in waiting areas that are open to egress corridors.

(Source: Amended at 18 Ill. Reg. **17250**, effective  
**DEC 01 1994**)

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## NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Rulemaking
- 2) Code Citation: 1 Ill. Adm. Code 100
- 3) Section Numbers: Emergency Actions:  
100.1150 Amendment  
100.Appendix A.Illustration A Amendment  
100.Appendix E.Illustration F Amendment
- 4) Statutory Authority: Implementing and authorized by the Illinois Administrative Procedure Act [5 ILCS 100]
- 5) Effective Date of Amendments: November 22, 1994
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: N/A
- 7) Date filed in Agency's principal office: November 22, 1994
- 8) Reason for the Emergency: The Illinois Administrative Procedure Act (IAPA) was amended by P.A. 88-667 to require that all state agencies submit regulatory agendas for publication in the Illinois Register by January 1 and July 1 of each year. The legislation amending the IAPA was signed on September 16, 1994. Emergency rulemaking is needed because other agencies' rulemakings are affected, which may have an impact on public interest.
- 9) Complete Description of the Subjects and Issues Involved: The primary purpose of the rule change is to require all agencies to submit regulatory agendas for publication in the Illinois Register by January 1 and July 1 of each year. The regulatory agendas are to be submitted to the Secretary of State's Index Department, which is the filing agency for state agency rules and publishes the Illinois Register.
- 10) Are there any proposed amendments pending on this Part? No
- 11) Statement of Statewide Policy Objectives: The IAPA now requires agencies to file for publication in the Illinois Register regulatory agendas on a semi-annual basis in order to elicit public comments concerning any rule which the agency is considering proposing but for which no notice of proposed rulemaking has been submitted.
- 12) Information and questions regarding these amendments shall be directed:

Joseph Natale  
Index Department  
Ill E. Monroe  
Springfield, IL 62756

The full text of the Emergency Amendments begins on the next page:

## SECRETARY OF STATE

## NOTICE OF EMERGENCY AMENDMENTS

TITLE 1: GENERAL PROVISIONS  
CHAPTER 1: SECRETARY OF STATEPART 100  
RULEMAKING

## SUBPART A: DEFINITIONS AND CODIFICATION

Section	
100.100	Rulemaking Compliance
100.110	Definitions
100.120	Agencies Covered
100.130	Illinois Administrative Code Organization
100.140	Codification Outline
100.150	Notice of Codification Changes
100.160	Deletion or Transfer of Rules
100.170	Re-using Part or Section Numbers (Renumbered)
100.180	Style Manual

## SUBPART B: ILLINOIS REGISTER

Section	
100.200	Publication Schedule and Deadline
100.210	Contents
100.220	Publication Requirements
100.225	Cover Letter
100.230	Publication of Materials Incorporated by Reference
100.240	Notices of Corrections
100.250	Expedited Corrections
100.260	Indexes
100.270	Illinois Register Availability
100.280	Fees
100.290	Uncodified Rules (Repealed)

## SUBPART C: RULE DRAFTING REQUIREMENTS

Section	
100.300	Headings
100.310	Table of Contents
100.315	Re-using Part or Section Numbers
100.320	Authority Note
100.330	Source Notes
100.335	Automatic Repeal of Rules
100.340	Text of the Part; Subsections
100.345	Renumbering Sections within a Part
100.350	Supplementary Material
100.360	Proper Format
100.370	Citation of Codified Rules
100.380	Statutory Language and Statutory Citations

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## NOTICE OF EMERGENCY AMENDMENTS

100.385 Incorporation by Reference; Citation of Referenced Material  
100.390 Footnotes; Agency Notes; Editor's Notes

## SUBPART D: PROPOSED RULES

Section	
100.400	Required Notice Periods
100.410	Notice of Proposed Rules
100.415	Other Statutory Requirements for Rulemaking
100.420	Text of Proposed Rules
100.430	Notice of Corrections
100.440	Notice of Modification, Withdrawal, or Refusal to Modify or Withdraw a Rule
100.445	Requirements for Submitting Materials for Register Publication
100.450	Index Department Review of Proposed Rules

## SUBPART E: ADOPTED RULES

Section	
100.500	Requirements for Filing
100.510	Other Documents Required for Filing Adopted Rules
100.520	Requirements for Illinois Register Publication
100.530	Notice of Adopted Rules
100.540	Text of Adopted Rules
100.545	Index Department Review of Adopted Rules
100.550	Certificate of Review and Approval

## SUBPART F: EMERGENCY RULES

Section	
100.600	Filing; Agency Certification
100.610	Notice of Emergency Rules
100.620	Text of Emergency Rules
100.630	File Copy of Emergency Rules
100.640	Effectiveness
100.650	Adoption as a Permanent Rule
100.655	Index Department Review of Emergency Rules
100.660	Certificate of Review and Approval
100.670	Modification of an Emergency Rule
100.680	Repeal of an Emergency Rule

## SUBPART G: PEREMPTORY RULES

Section	
100.700	Submission; Agency Certification
100.710	Notice of Peremptory Rules
100.720	Text of Peremptory Rules
100.730	File Copy of Peremptory Rules
100.735	Index Department Review of Peremptory Rules



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## NOTICE OF EMERGENCY AMENDMENTS

## 100.740 Certificate of Review and Approval

## SUBPART H: INTERNAL RULES

## Section

100.800 Requirements  
 100.810 Effectiveness; Exemption from Notice  
 100.815 Index Department Review of Internal Rules  
 100.820 Certificate of Review and Approval

## SUBPART I: PROHIBITED FILING

## Section

100.900 Certified Statements from Joint Committee on Administrative Rules  
 100.910 Prohibition of the Filing of Rules  
 100.920 Continuation of Prohibition

## SUBPART J: PUBLIC INSPECTION AND COPYING

## Section

100.1000 Certified Rules; Inspection  
 100.1010 Photocopies and Fees  
 100.1020 Illinois Administrative Code  
 100.1025 Public Domain  
 100.1030 State Property (Repealed)

## SUBPART K: MISCELLANEOUS

## Section

100.1100 Recodification of Rules  
 100.1110 Notice of Recodification  
 100.1115 Index Department Review of Recodified Rules  
 100.1120 Certificate of Review and Approval  
 100.1130 Format for Register Publication of Notices of the Joint Committee on Administrative Rules  
 100.1140 Index Department Review of Other Notices and Materials Submitted for Register Publication  
 100.1150 Regulatory Agendas  
 EMERGENCY  
 100.1160 Regulatory Flexibility Notice

## SUBPART L: ILLINOIS ADMINISTRATIVE CODE

## Section

100.1200 Availability  
 100.1210 Fees

## APPENDIX A

Proposed Rules

## SECRETARY OF STATE

## NOTICE OF EMERGENCY AMENDMENTS

## ILLUSTRATION A Notice of Proposed Rules

## EMERGENCY

## ILLUSTRATION B Notice of Withdrawal of Proposed Rules

## ILLUSTRATION C Notice of Modification, Withdrawal or Refusal in Response to an Objection by the Joint Committee on Administrative Rules

## ILLUSTRATION D Notice of Corrections to Proposed Rules

## ILLUSTRATION E Notice of Public Hearing on Proposed Rules

## ILLUSTRATION F Notice of Corrections to Notice Only (Renumbered)

## APPENDIX B Adopted Rules

## ILLUSTRATION A Notice of Adopted Rules

## ILLUSTRATION B Text of Adopted Rules (Repealed)

## ILLUSTRATION C Agency Certification

## ILLUSTRATION D Format for Filing Codified Rules

## ILLUSTRATION E Notice of Automatic Repeal of Adopted Rules

## ILLUSTRATION F Notice of Corrections to Adopted Rules

## ILLUSTRATION G Request for Expedited Correction

## ILLUSTRATION H Refusal to Certify Expedited Correction

## ILLUSTRATION I Notice of Expedited Correction

## APPENDIX C Emergency Rules

## ILLUSTRATION A Notice of Emergency Rules

## ILLUSTRATION B Text of Emergency Rules (Repealed)

## ILLUSTRATION C Agency Certification of Emergency Rules

## ILLUSTRATION D Notice of Modification to Emergency Rules

## APPENDIX D Peremptory Rules

## ILLUSTRATION A Notice of Peremptory Rules

## ILLUSTRATION B Text of Peremptory Rules (Repealed)

## ILLUSTRATION C Agency Certification of Peremptory Rules

## ILLUSTRATION D Notice of Automatic Repeal of Peremptory Rules

## APPENDIX E Miscellaneous

## ILLUSTRATION A Notice of Recodification

## ILLUSTRATION B Notice of Corrections to Notice Only

## ILLUSTRATION C Certificate of Review and Approval

## ILLUSTRATION D Notice of Codification Changes

## ILLUSTRATION E Format for Statements of Objections or Recommendations

## Issued by the Joint Committee on Administrative Rules

## Regulatory Agenda

## ILLUSTRATION F

## EMERGENCY

## ILLUSTRATION G Regulatory Flexibility Notice

AUTHORITY: Implementing and authorized by the Illinois Administrative Procedure Act [5 ILCS 100].

SOURCE: Adopted at 7 Ill. Reg. 10880, effective September 1, 1983; amended at 7 Ill. Reg. 16460, effective January 1, 1984; amended at 8 Ill. Reg. 12488, effective July 1, 1984; amended at 8 Ill. Reg. 19831, effective October 1, 1984; emergency amendments at 9 Ill. Reg. 427, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9180, effective May 31, 1985; emergency amendments at 10 Ill. Reg. 4014, effective February 19, 1986, for a

## SECRETARY OF STATE

## NOTICE OF EMERGENCY AMENDMENTS

maximum of 150 days; amended at 10 Ill. Reg. 12080, effective July 1, 1986; amended at 11 Ill. Reg. 724, effective January 1, 1987, and May 1, 1987; amended at 15 Ill. Reg. 13939, effective September 10, 1991; amended at 17 Ill. Reg. 10414, effective July 1, 1993; amended at 18 Ill. Reg. 13067, effective August 11, 1994; emergency amendments at 18 Ill. Reg. 17275, effective November 22, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART K: MISCELLANEOUS

**Section 100.1150 Regulatory Agendas**  
EMERGENCY

Pursuant to Section 5-30 of the IAPA, an agency may submit for publication in the Illinois Register by January 1 and July 1 of each year a regulatory agenda to elicit public comments concerning any rule which the agency is considering proposing but for which no notice of proposed rulemaking activity has been submitted to the Illinois Register. The format for a regulatory agenda appears in 100.Appendix E, Illustration F. All regulatory agendas submitted to the Index Department shall meet the requirements for Register publication as outlined in this Part. If an agency finds that a situation exists that requires the adoption of a rule that was not summarized on either of the two (2) most recent regulatory agendas, it shall state the reasons in writing together with the facts that form their basis upon filing notice of proposed rulemaking with the Secretary of State in the format in 100.Appendix A, Illustration A.

(Source: Emergency amendment at 18 Ill. Reg. 17275, effective November 22, 1994, for a maximum of 150 days)

## SECRETARY OF STATE

## NOTICE OF EMERGENCY AMENDMENTS

## Section 100.APPENDIX A Proposed Rules

Section 100.ILLUSTRATION A Notice of Proposed Rules  
EMERGENCY

For detailed information on this Notice, please refer to Section 100.410.

## ILLINOIS REGISTER

## (AGENCY NAME)

## NOTICE OF PROPOSED RULES

## 1) Heading of the Part:

2) Code Citation: \_\_\_\_\_ Ill. Adm. Code \_\_\_\_\_

3) Section Numbers: \_\_\_\_\_ Proposed Action: \_\_\_\_\_

## 4) Statutory Authority:

5) A Complete Description of the Subjects and Issues Involved;

6) Will this proposed rule replace an emergency rule currently in effect?

7) Does this rulemaking contain an automatic repeal date? Yes \_\_\_\_\_ No \_\_\_\_\_

If "yes," please specify the date: \_\_\_\_\_

8) Does this proposed rule (amendment, repealer) contain incorporations by reference?

9) Are there any other proposed amendments pending on this Part?

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives:

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected:
- B) Reporting, bookkeeping or other procedures required for compliance:
- C) Types of professional skills necessary for compliance:

13) State reason(s) for this rulemaking if it was not included in either of

## SECRETARY OF STATE

## NOTICE OF EMERGENCY AMENDMENTS

the two (2) most recent regulatory agendas:

The full text of the Proposed Rule(s) begins on the next page:

AGENCY NOTE: The solid line shall be exactly one inch from the top of the page. Also, if the proposal is a new Part, use the action heading as shown in this illustration; if the proposal is an amendment to a Part (new Sections being added, existing Sections being amended or repealed), the action heading shall state NOTICE OF PROPOSED AMENDMENT(S); if the proposal is a repealer of an entire Part, the action heading shall state NOTICE OF PROPOSED REPEALER.

(Source: Emergency amendment at 18 Ill. Reg. 17 275, effective November 22, 1994, for a maximum of 150 days)

## SECRETARY OF STATE

## NOTICE OF EMERGENCY AMENDMENTS

## Section 100.APPENDIX E Miscellaneous

Section 100.ILLUSTRATION F Regulatory Agenda  
EMERGENCY

The following format is to be used for submitting a regulatory agenda for publication in the Illinois Register:

## ILLINOIS REGISTER

(AGENCY NAME)

## REGULATORY AGENDA

1) Heading of the Part:

2) Code Citation: Ill. Adm. Code \_\_\_\_\_

3) A description of the rule(s):

4) Statutory Authority:

5) Schedule of dates for hearings, meetings, or other opportunities for public participation:

6) Date agency anticipates submitting to the Administrative--Code--Division  
Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register:

7) Information concerning this regulatory agenda shall be directed to:

Name:

Address:

Telephone:

8) Will this rule (amendment, repealer) affect small business, small municipalities or not for profit corporations?

9) Other pertinent information concerning this rule (amendment, repealer):

NOTE: Only one Part shall be listed per regulatory agenda. Only one regulatory agenda per Part will be accepted for publication in a single issue of the Illinois Register. Also, the information shown above in this illustration shall be underscored to separate it from the agency's responses, with the exception of the agency name and the words "REGULATORY AGENDA" appearing under the solid line.

(Source: Emergency amendment at 18 Ill. Reg. 17 275, effective November 22, 1994, for a maximum of 150 days)



JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF RECOMMENDATION  
TO PROPOSED RULEMAKING

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

Heading of the Part: Pay PlanCode Citation: 80 Ill Adm Code 310Section Numbers: 310.495

310.Appendix G

Date Originally Published in the Illinois Register: 8/5/94

18 Ill Reg 12008

At its meeting on November 15, 1994, the Joint Committee on Administrative Rules considered the above cited rulemaking and recommends that the Department not adopt rulemaking instituting new payroll classifications prior to approval of such classifications by the Civil Service Commission, in accordance with Sections 8 and 10 of the Personnel Code.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF OBJECTION  
TO PROPOSED RULEMAKING

## POLLUTION CONTROL BOARD

Heading of the Part: Mobile SourcesCode Citation: 35 Ill Adm Code 240Section Numbers: 240.101, 240.102, 240.104, 240.105, 240.106

240.107, 240.124, 240.125, 240.151, 240.152

240.153, 240.161, 240.162, 240.163, 240.164

240.171, 240.Tb.A, and 240.Tb.B

Date Originally Published in the Illinois Register: 8/5/94

18 Ill Reg 12021

At its meeting on November 15, 1994, the Joint Committee on Administrative Rules objected to the above cited rulemaking because the stringent standards will cause economic hardship on the affected public and because PCB's action to adopt these standards is premature. The federal Vehicle Emissions Standards program may be altered before its anticipated full implementation in late 1995.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall be deemed to be a refusal to respond under the Administrative Procedure Act and shall constitute withdrawal of this proposed rulemaking.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSUSPENSION OF EMERGENCY RULES

DEPARTMENT OF PUBLIC AID

Heading of the Part: Medical PaymentCode Citation: 89 Ill Adm Code 140Section: 140.413Date Related Proposed Rulemaking Published7/8/94  
18 Ill Reg 10637Date Published in the Illinois Register: 7/8/94

18 Ill Reg 10922

At its meeting on November 15, 1994, the Joint Committee on Administrative Rules voted to suspend the above emergency rulemaking. The Committee found that the continued enforcement of this rulemaking would constitute a serious threat to the public interest and welfare. The Committee suspended the emergency rule because the emergency rule is contrary to Sections 5-5 and 6-1 of the Public Aid Code [305 ILCS 5/5-5 and 6-1] that specifically provide that Medicaid funds will be used for abortions only if the mother's life is endangered.

The suspended emergency rules may not be enforced by the Department of Public Aid for any reason, nor may the Department of Public Aid file with the Secretary of State any rule having substantially the same purpose and effect as these suspended rules for at least 180 days following receipt of this certification and statement by the Secretary of State.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF OBJECTION  
TO PROPOSED RULEMAKING

DEPARTMENT OF PUBLIC AID

Heading of the Part: Medical PaymentCode Citation: 89 Ill Adm Code 140Section Numbers: 140.538Date Originally Published in the Illinois Register: 6/24/94

18 Ill Reg 9296

At its meeting on November 15, 1994, the Joint Committee on Administrative Rules objected to Section 140.538 of the above cited rulemaking because DPA's interpretation of PA 88-88 in the proposed amendment to Section 140.538 (j) is creating an economic burden on nursing homes. DPA's interpretation of the statute is contrary to legislative intent, as the General Assembly never intended that the assessment fees be precluded from consideration as a reimbursable expense.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall be deemed to be a refusal to respond under the Administrative Procedure Act and shall constitute withdrawal of this proposed rulemaking.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION  
TO PROPOSED RULEMAKING

HEALTH FACILITIES PLANNING BOARD

Heading of the Part: Health Facilities Planning Procedural Rules

Code Citation: 77 Ill Adm Code 1130

Section Numbers: 1130.140

Date Originally Published in the Illinois Register: 6/17/94  
18 Ill Reg 8867

At its meeting on November 15, 1994, the Joint Committee on Administrative Rules objected to Section 1130.140 of the above cited rulemaking because the Board has no specific statutory authority under the Health Facilities Planning Act to redefine "discontinuation" and "substantially changes the scope or changes the functional operation of the facility".

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall be deemed to be a refusal to respond under the Administrative Procedure Act and shall constitute withdrawal of this proposed rulemaking.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of November 15, 1994 through November 21, 1994, and have been scheduled for review by the Committee at its December 13, 1994 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield, IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
12/29/94	Department of Public Health, Distribution of Medical Student Scholarship Payback Funds (77 Ill Adm Code 594)	6/10/94 18 Ill Reg 8572	12/13/94
12/29/94	Department of Public Health, Health Facilities Planning Procedural Rules (77 Ill Adm Code 1130)	6/17/94 18 Ill Reg 8861	12/13/94
12/29/94	Department of Public Aid, Child Support Enforcement (89 Ill Adm Code 160)	8/19/94 18 Ill Reg 12604	12/13/94
12/29/94	Department of Public Aid, Practice in Administrative Hearings (89 Ill Adm Code 104)	8/19/94 18 Ill Reg 12613	12/13/94
12/29/94	Pollution Control Board, Water Use Designations and Site Specific Water Quality Standards (35 Ill Adm Code 303) (R93-13)	9/16/94 18 Ill Reg 14219	12/13/94
12/30/94	Department of Public Aid, Rights and Responsibilities (89 Ill Adm Code 102)	9/9/94 18 Ill Reg 13723	12/13/94
12/30/94	Illinois Community College Board, Administration of the Illinois Public Community College Act (23 Ill Adm Code 1501)	9/9/94 18 Ill Reg 13562	12/13/94
12/31/94	Environmental Protection Agency, Illinois Design Standards for Slow Rate Land Application of Treated Wastewater (35 Ill Adm Code 372)	3/25/94 18 Ill Reg 4524	12/13/94



JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

12/31/94	Department of Public Health, WIC Vendor Management Code (77 Ill Adm Code 672)	9/23/94 18 Ill Reg 14308	12/13/94
1/4/95	Office of the Comptroller, Claim Eligible to be Offset (74 Ill Adm Code 285)	8/26/94 18 Ill Reg 12944	12/13/94

PROCLAMATIONS  
94-640  
FAMILY WEEK

"There's no vocabulary for love within a family, love that's lived in but not looked at, love within the light of which all else is seen, the love within which all other love finds speech. This love is silent" T.S. Eliot, The Elder Statesman, 1958

Whereas, the family is the entity that nurtures the values which have made America great. The bonds of familial love are the foundation of our nation's strength; and

Whereas, the trust, duty, respect, and cooperation that are a way of life for family members are traits that reinforce the fabric and function of all societal units from the neighborhood to the nation. The acceptance of each individual family member's uniqueness, teamed with simultaneous, unified strides to improve gives momentum to our progress as a nation; and

Whereas, appropriately placed with the traditional week of Thanksgiving, National Family Week is a period of thanks for all the contributions the family has made to our country;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 20-26, 1994, as FAMILY WEEK in Illinois in conjunction with the national observance.

Issued by the Governor November 10, 1994. Filed with the Secretary of State November 18, 1994.

## 94-641

## GOOD DEEDS WEEK

Whereas, good deeds reap many rewards for the doer, as well as the recipient; and

Whereas, concerned and caring persons can and do make a difference in the lives of the handicapped, the elderly, the lonely, and others who need special attention from time to time; and

Whereas, good deeds can turn darkness into light and help the sun shine in; and

Whereas, doing good deeds can make children better human beings and future leaders of our country;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 13-19, 1994, as GOOD DEEDS WEEK in Illinois and urge every citizen to observe this week by performing a good deed for a neighbor in need.

Issued by the Governor November 10, 1994. Filed with the Secretary of State November 18, 1994.

## 94-642

## LATVIAN INDEPENDENCE DAY

Whereas, the most important Latvian holiday is Independence Day, celebrated on November 18, the day when the first Latvian national government in 1918 was established in Riga; and

Whereas, the Teutonic Knights, an organization of German crusaders, invaded Latvia during the 1200's and the resulting war lasted several years, when the Latvians eventually surrendered; and

Whereas, for more than 200 years, the Knights governed Latvia as part of a larger state called Livonia; and

Whereas, by 1562, most of Latvia had come under the rule of Poland and Lithuania and by 1800 Russia ruled all of Latvia; and

Whereas, during the late 1800's, the Latvians began to organize an independence movement and it continued to become stronger through the 1900's as Russian and German authority declined in Latvia; and

Whereas, On November 18, 1918, just after the end of World War I, Latvia proclaimed itself independent of Russia but Germany continued to keep control of the new nation until they finally recognized Latvia's independence in 1920; and

Whereas, in 1922, Latvia adopted a constitution that established a democratic form of government;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 18, 1994, as LATVIAN INDEPENDENCE DAY in Illinois.

Issued by the Governor November 10, 1994.

Filed with the Secretary of State November 18, 1994.

#### 94-643

##### VETERANS DAY

Whereas, the men and women who have served in the Armed Forces of the United States of America have made major contributions toward the preservation of the freedom of this nation and its people; and

Whereas, the services performed by these million of gallant Americans have demonstrated the willingness of our nation and its people; and

Whereas, the Congress of the United States of America has designated the 11th day of November of each year as Veterans Day; and

Whereas, Veterans Day has become a significant part of our national heritage as we recognize the important contributions of the millions of our citizens whose military service has had a profound effect on history; and

Whereas, the unselfishness of all those who served in the United States Armed Forces is a quality for which we are all grateful;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 11, 1994, as VETERANS DAY in Illinois, in conjunction with the national observance. I ask that the day be observed with appropriate ceremonies in honor of those who have served the national purpose to preserve the principles of justice, freedom and democracy.

Issued by the Governor November 10, 1994.

Filed with the Secretary of State November 18, 1994.

#### 94-644

##### BIBLE WEEK

Whereas, the Bible is the foundational document of the Judeo-Christian principles upon which our nation was conceived; and

Whereas, the Bible has been a constant source of moral and spiritual guidance for Americans throughout our history; and

Whereas, the Bible has profoundly influenced our nation's art, literature, music, laws, and sense of charity; and

Whereas, the Bible continues to provide inspiration, hope, and comfort for millions of Americans today; and

Whereas, for 54 years, women and men of all faiths have banded together in the Laymen's National Bible Association to sponsor National Bible week as a time to remind their fellow Americans of the Bible's unique place in American

life; and

Whereas, this annual emphasis has helped to strengthen spiritual understanding throughout America by encouraging personal reading and study of the Bible;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 20-27, 1994, as BIBLE WEEK in Illinois.

Issued by the Governor November 14, 1994.

Filed with the Secretary of State November 18, 1994.

#### 94-645

##### CAREGIVERS WEEK

Whereas, the week of November 20-26, 1994, has been designated as National Caregivers Week and Thursday, November 24 is Thanksgiving Day, a time when families traditionally gather in love and celebration; and

Whereas, many Illinois families include a member, often an older adult, who is frail, chronically ill, or disabled and relies on help and support from another family member who devotes a few hours or many hours each day performing tasks that range from bathing and dressing to giving shots and handling finances; and

Whereas, the most common reason people choose to provide care at home is love for the family member or friend and a desire to give the best possible care in the most comfortable of settings; and

Whereas, caregiving can be physically and emotionally stressful for both the caregiver and the recipient of that care, and although caregivers to the best they can, they need support from family, friends, and professional and community resources; and

Whereas, caregivers need to know they are not alone and can utilize these resources for information and in-home assistance, particularly respite care; and

Whereas, the Illinois agencies that provide information and assistance want to increase public knowledge about and access to the services available to the elderly, the chronically ill, and the disabled, and those who love and are for them;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 20-26, 1994, as CAREGIVERS WEEK in Illinois and urge caregivers to seek the assistance they many need, and I urge all Illinoisans to join me in saluting this hard-working segment of our population -- the dedicated caregiver.

Issued by the Governor November 14, 1994.

Filed with the Secretary of State November 18, 1994.

#### 94-646

##### GOSPEL MUSIC APPRECIATION DAY

Whereas, gospel music touches and influences people of all nationalities and races; and

Whereas, in celebration of Dr. Martin Luther King, Jr.'s birthday, Central City Productions (CCP) will present the 10th Annual Stellar Gospel Music Awards, a spirited two-hour television special honoring the achievements of African-Americans in the gospel music industry; and

Whereas, founded in 1970, the Chicago-based Central City Productions is the nation's largest black-owned distributor of original programming to

television and cable network; and

Whereas, the syndicated television event taped at the Auditorium Theater in Chicago on Saturday, November 19, 1994, and will be televised nationally January 14-February 5, 1995; and

Whereas, the Stellar Gospel Music Awards will honor individuals who have contributed so much to the music fabric of America;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 19, 1994, as GOSPEL MUSIC APPRECIATION DAY in Illinois and urge all citizens to enjoy this inspiring form of music which is part of our state's great heritage.

Issued by the Governor November 15, 1994.

Filed with the Secretary of State November 18, 1994.

#### 94-647

##### INTERNATIONAL HOUSEWARES WEEK

Whereas, the Board of Directors of the National Housewares Manufacturers Association has chosen our state for its 98th International Housewares Show; and

Whereas, Illinois has hosted the nation's premier housewares show since 1928; and

Whereas, the American housewares industry represents more than \$50.4 billion in annual retail sales and is actively involved in export activities; and

Whereas, the National Housewares Manufacturers Association's 1995 International Housewares Show is the largest U.S. marketplace for buying and selling housewares products; and

Whereas, the world's largest "homewares-only" exposition brings 11,000 American buyers and more than 4,500 buyers from 93 other countries to Illinois to purchase goods from 2,000 housewares exhibitors; and

Whereas, the International Housewares Show attracts more than 50,000 people to Illinois;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim January 15-18, 1995 as INTERNATIONAL HOUSEWARES WEEK in Illinois and welcome the International Housewares Show to our state.

Issued by the Governor November 15, 1994.

Filed with the Secretary of State November 18, 1994.

#### 94-648

##### UNITED HELLENIC AMERICAN CONGRESS DAY

Whereas, the United Hellenic American Congress, which was founded founded in 1975 to serve as an umbrella and unifying organization for Greek-Americans, is celebrating its 19th Annual Dinner Dance; and

Whereas, the organization functions on local, regional, and national levels to promote Greek heritage and culture, enhance relations between Greece and the United States, and improve communications and unify between Greek-Americans and fellow Americans; and

Whereas, the United Hellenic American Congress will honor the Lee Hamilton, United States Representative from the Ninth District of Indiana, Chairman of the Committee on Foreign Affairs; and

Whereas, the United Hellenic American Congress will also honor Adeline J. Geo-Karis, Illinois State Senator; Paul G. Vallas, Director of the City of

Chicago's Office of Budget and Management; and Louis Mitchell, Chicago's famed restaurateur and great benefactor -- all of whom have brought honor and recognition to Americans of Greek descent; and

Whereas, the United Hellenic American Congress will honor and recognize these contributors at its 19th Annual Dinner Dance on Saturday, November 19, at the Sheraton Chicago Hotel and Towers;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 19, 1994 as UNITED HELLENIC AMERICAN CONGRESS DAY in Illinois and commend those to be honored for their dedicated years of public service.

Issued by the Governor November 15, 1994.

Filed with the Secretary of State November 18, 1994.

#### 94-649

##### TAYLOR BELL DAY

Whereas, the Roosevelt High School 1950's All-Star basketball team will play the Chicago Citywide 1950's All-Stars on Friday, November 18, 1994, as a fundraising event for the Manny Weincord Roosevelt High School Scholarship Fund and the Roosevelt University Scholarship Fund; and

Whereas, Taylor Bell has dedicated 37 years of outstanding service as a high school sports reporter; and

Whereas, he graduated from Blue Island High School in 1958, attended the University of Illinois at Champaign-Urbana, and was the sports editor of the Daily Illini until he graduated in 1962, and

Whereas, Mr. Bell worked for the Champaign-Urbana Courier from 1962-1966, the St. Louis Globe Democrat from 1966-1968, the Chicago Daily News from 1968-1978, and has been covering sports for the Chicago Sun-Times since 1978;

Therefore, I Jim Edgar, Governor of the State of Illinois proclaim November 18, 1994, as TAYLOR BELL DAY in Illinois and commend him for his 37 years of service.

Issued by the Governor November 16, 1994.

Filed with the Secretary of State November 18, 1994.

#### 94-650

##### THANKSGIVING DAY

"My country 'tis of thee, Sweet land of liberty, of thee I sing. Land where our fathers died, land of the pilgrim's pride. From every mountainside, let freedom ring."

"America," Samuel Francis Smith, 1832

Whereas, the Pilgrims carried on an ancient tradition when they held a Thanksgiving festival at Plymouth Colony in 1621. They were grateful for their survival and the absence of persecution; and

Whereas, America's first national Thanksgiving was proclaimed by the Continental Congress on November 1, 1777. George Washington made the first presidential proclamation for a Thanksgiving in 1789, in honor the new Constitution; and

Whereas, Thanksgiving Day as first celebrated on a specific day in 1861 upon President Lincoln's request. All states now observe the last Thursday in November as a day of thanks; and

Whereas, we are still thankful today for our well-being and our environment of freedom, as the Pilgrims were, and Thanksgiving Day is anticipated with joy and cherished as one of the most beautiful expressions of



the spirit of America;

Therefore, I Jim Edgar, Governor of the State of Illinois proclaim  
November 24, 1994, as THANKSGIVING DAY in Illinois.

Issued by the Governor November 16, 1994.

Filed with the Secretary of State November 18, 1994.

ACTION CODES	
<b>A</b> - Adopted Rule	<b>P</b> - Proposed Rule
<b>AR</b> - Adopted Repealer	<b>PF</b> - Prohibited Filing Order by JCAR*
<b>C</b> - Notice of Corrections	<b>PP</b> - Peremptory or Court Ordered Rules
<b>CC</b> - Codification Changes	<b>PR</b> - Proposed Repealer
<b>E</b> - Emergency Rule	<b>R</b> - Refusal to meet JCAR* Objection
<b>ER</b> - Emergency Repealer	<b>RC</b> - Statement of Recommendation
<b>M</b> - Modification to meet JCAR*	<b>S</b> - Suspension ordered by JCAR*
<b>O</b> - JCAR* Statement of Objections	<b>W</b> - Withdrawal to meet JCAR*
<b>RQ</b> - Request for Correction	<b>Obj</b> - Objections
<b>EC</b> - Expedited Corrections	<b>MR</b> - Modification and Refusal
*Joint Committee on Administrative Rules	

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-7017.

#### AGING, DEPARTMENT ON

89 Ill. Adm. Code 240	Community Care Program (P-14225/93;A-609) (E-5355) (P-5027) (A-13375)
89 Ill. Adm. Code 260	Long-Term Care Insurance Partnership Demonstration Program (P-3802; A-9895)
89 Ill. Adm. Code 230	Older Americans Act Program (P-5720) (A-14072)

#### AGRICULTURE, DEPARTMENT OF

8 Ill. Adm. Code 30	Animal Control Act (P-8972) (A-14891)
8 Ill. Adm. Code 110	Animal Diagnostic Laboratory Act (P-14717/93;A-1825) (P-8981) (P-9027)
8 Ill. Adm. Code 25	Animal Welfare Act (P-8993) (A-14898)
8 Ill. Adm. Code 75	Bovine Brucellosis (P-14728/93;A-1833)
8 Ill. Adm. Code 257	Cooperative Groundwater Protection Program (P-14288/93; A-205)
8 Ill. Adm. Code 20	Definitions (P-14793;A-1844)
8 Ill. Adm. Code 85	Diseased Animals (P-14747/93;A-1850)
8 Ill. Adm. Code 116	Equine Infectious Anemia Control (P-14761/93;A-1861)
68 Ill. Adm. Code 590	Feeder Swine Dealer Licensing (P-14765/93;A-1865)
8 Ill. Adm. Code 70	Horsemeat (P-9003) (A-14906)
8 Ill. Adm. Code 35	Humane Care for Animals Act (P-9008) (A-14909)
8 Ill. Adm. Code 50	Humane Slaughter of Livestock (P-9011) (A-14911)
8 Ill. Adm. Code 90	Illinois Dead Animal Disposal Act (A-14917)

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- 8 Ill. Adm. Code 270 Illinois State Fair and DuQuoin State Fair, Non-Fair Space Rental and the General Operation of the State Fairgrounds (P-3164;A-9400)
- 8 Ill. Adm. Code 40 Livestock Auction Markets (P-14769/93;A-1869)
- 68 Ill. Adm. Code 610 Livestock Dealer Licensing (P-14775/93;A-1875)
- 8 Ill. Adm. Code 125 Meat and Poultry Inspection Act (PP-304) (PP-2164) (P-3809;A-4622) (PP-6442) (PP-8493) (A-11489) (PP-12540) (PP-14475) (A-14924) (PP-15452)
- 8 Ill. Adm. Code 515 Refrigerated Warehouse Act (P-9033) (A-14930)
- 8 Ill. Adm. Code 105 Swine Disease Control & Eradication Act (P-14781/93;A-1880) (P-13519)
- 8 Ill. Adm. Code 600 Weights and Measures Act (E-4426) (A-8519) (A-14692)

**ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF**

- 77 Ill. Adm. Code 2090 Subacute Alcoholism and Substance Abuse Treatment Services (P-5029) (C-8731) (A-14223)

**ATTORNEY GENERAL**

- 14 Ill. Adm. Code 200 Franchise Disclosure Act (PP-2522)

**AUDITOR GENERAL**

- 2 Ill. Adm. Code 601 Freedom of Information (A-7739)
- 2 Ill. Adm. Code 600 Public Information, Rulemaking, Organization and Personnel (A-6404) (AR-6440)

**BANKS AND TRUST COMPANIES, COMMISSIONER OF**

- 38 Ill. Adm. Code 380 Eligible State Bank (P-19347/93;A-4630)
- 38 Ill. Adm. Code 335 Unimpaired Capital & Unimpaired Surplus (E-11662) (P-13169)

**CARNIVAL-AMUSEMENT SAFETY BOARD**

- 56 Ill. Adm. Code 6000 Carnival and Amusement Park Inspection Law (P-6040) (A-13384)

**CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF**

- 44 Ill. Adm. Code 5000 Acquisition, Management & Disposal of Real Property (P-15217/93;A-1886) (P-5057)
- 74 Ill. Adm. Code 900 Joint Rules Of The Comptroller & The Department Of Central Management Services: Prompt Payment (A-11498)
- 80 Ill. Adm. Code 302 Merit & Fitness (P-14788/93;A-1892) (P-12937) (A-17183)
- 80 Ill. Adm. Code 310 Pay Plan (P-13657/93;P-14314;A-227;A-1107) (P-21233/93;A-5146) (PP-9562) (P-10979) (E-11299) (P-12008) (PP-13476) (P-14256) (E-14417) (R-16042) (P-16490) (A-16545) (PP-16708) (A-17191) (RC-17284)

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- 80 Ill. Adm. Code 2650 Solicitation for Charitable Payroll Deductions (A-3115) (RC-3151)
- 80 Ill. Adm. Code 2800 Travel (P-12567)

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- 89 Ill. Adm. Code 325 Administration of Psychotropic Medications to Children for Whom the Department of Children and Family Services is Legally Responsible (P-8765)
- 89 Ill. Adm. Code 336 Appeal Of Child Abuse And Neglect Investigation Findings (P-11407)
- 89 Ill. Adm. Code 434 Audits, Reviews and Investigations (P-7115/93;A-6697) (P-8777) (E-8944)
- 89 Ill. Adm. Code 380 Background Check of Foster Family Home Applicants (PR-8779)
- 89 Ill. Adm. Code 385 Background Checks (P-8219)
- 89 Ill. Adm. Code 358 Background Inquiry for Purchase of Service Providers (PR-8786)
- 89 Ill. Adm. Code 305 Client Service Planning (P-6467) (A-17200)
- 89 Ill. Adm. Code 431 Confidentiality of Personal Information of Persons Served by the Department (P-7554) (CC-7951)
- 89 Ill. Adm. Code 428 Department Advisory Council, Ill. Juvenile Commission & OtherStatewide & Regional Committees (P-561)
- 89 Ill. Adm. Code 437 Department of Children and Family Services Employees Conflict of Interest (P-7539)
- 89 Ill. Adm. Code 384 Discipline & Behavior Management in Child Care Facilities (E-8474) (P-8528)
- 89 Ill. Adm. Code 314 Educational Services (P-17593/93; A-8366)
- 89 Ill. Adm. Code 406 Licensing Standards for Day Care Homes (P-2683) (P-11964/93;A-5531) (RC-3152)
- 89 Ill. Adm. Code 402 Licensing Standards for Foster Family Homes (P-8237; RC-10499) (E-8481)
- 89 Ill. Adm. Code 408 Licensing Standards for Group Day Care Homes (P-2700) (P-11976/93;A-5540) (RC-3153)
- 89 Ill. Adm. Code 308 Nondiscrimination Requirements Of Department Service Providers (A-11510)
- 89 Ill. Adm. Code 356 Rate Setting (A-11512)
- 89 Ill. Adm. Code 335 Relative Home Placements (P-6681/93;A-7444) (E-14436) (P-16892)
- 89 Ill. Adm. Code 300 Reports of Child Abuse & Neglect (P-18271/93;A-8377) (P-8240) (P-15218/93;A-8601)

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- 80 Ill. Adm. Code 1 Civil Service Commission (P-13525)

**CIVIL SERVICE SYSTEM, STATE UNIVERSITIES**

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Procedures for Gas, Electric, Water & Sanitary  
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83 Ill. Adm. Code 735  
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83 Ill. Adm. Code 525  
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92 Ill. Adm. Code 1236  
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92 Ill. Adm. Code 1710  
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83 Ill. Adm. Code 200  
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83 Ill. Adm. Code 285  
Standard Information Requirements for Electric,  
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83 Ill. Adm. Code 410  
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83 Ill. Adm. Code 425  
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92 Ill. Adm. Code 1375  
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83 Ill. Adm. Code 415  
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83 Ill. Adm. Code 505  
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74 Ill. Adm. Code 330  
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14 Ill. Adm. Code 520  
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14 Ill. Adm. Code 510  
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(P-21905/93;A-8387)

14 Ill. Adm. Code 570  
Illinois Small Business Development Program  
(P-21123/93;A-6112)

56 Ill. Adm. Code 509  
Industrial Training Program (P-20063/93;RQ-6022)

14 Ill. Adm. Code 620  
Labor-Management Program (P-9667) (A-16564)

14 Ill. Adm. Code 550  
Local Tourism And Convention Bureau Program  
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83 Ill. Adm. Code 772  
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14 Ill. Adm. Code 610  
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92 Ill. Adm. Code 1425  
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83 Ill. Adm. Code 792  
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83 Ill. Adm. Code 535  
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83 Ill. Adm. Code 772  
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83 Ill. Adm. Code 315  
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184.801	n	(P-12491/93A-1253)	218.620	am	(P-12491/93A-1945)	218.406	n	(P-17124)	270.101	n	(P-16325/93A-9425)	370.210	re	(A-6375)
184.802	n	(P-4A-16906)	218.623	r	(P-12491/93A-1945)	218.408	n	(P-17124)	270.102	n	(P-16325/93A-9425)	370.220	re	(A-6375)
184.803	n	(P-8331A-15744)	218.626	n	(P-12491/93A-1945)	218.409	n	(P-17124)	270.103	n	(P-16325/93A-9425)	370.230	re	(A-6375)
184.804	n	(P-15192)	218.666	am	(P-12491/93A-1945)	218.410	n	(P-17124)	270.104	n	(P-16325/93A-9425)	370.240	re	(A-6375)
184.805	n	(P-15192)	218.667	am	(P-12491/93A-1945)	218.411	n	(P-17124)	270.105	n	(P-16325/93A-9425)	370.250	re	(A-6375)
184.806	n	(P-12491/93A-1253)	218.668	n	(P-12491/93A-1945)	218.412	n	(P-17124)	270.106	n	(P-16325/93A-9425)	370.260	re	(A-6375)
201.101	am	(P-8347A-15760)	218.670	n	(P-12491/93A-1253)	218.413	n	(P-17124)	270.107	n	(P-16325/93A-9425)	370.270	re	(A-6375)
201.166	#	(P-8347A-15760)	218.671	n	(P-12491/93A-1253)	218.414	n	(P-15274)	270.108	n	(P-16325/93A-9425)	370.280	re	(A-6375)
201.167	#	(P-8347A-15760)	218.672	n	(P-12491/93A-1253)	218.415	n	(P-15274)	270.109	n	(P-16325/93A-9425)	370.290	re	(A-6375)
201.168	#	(P-8347A-15760)	218.673	n	(P-12491/93A-1253)	218.416	n	(P-15274)	270.110	n	(P-16325/93A-9425)	370.300	re	(A-6375)
201.207	#	(P-8347A-15760)	218.674	am	(P-12491/93A-1253)	218.417	n	(P-15274)	270.111	n	(P-16325/93A-9425)	370.310	re	(A-6375)
201.208	#	(P-8347A-15760)	218.675	am	(P-12491/93A-1253)	218.418	n	(P-15274)	270.112	n	(P-16325/93A-9425)	370.320	re	(A-6375)
201.209	#	(P-8347A-15760)	218.676	n	(P-12491/93A-1253)	218.419	n	(P-15274)	270.113	n	(P-16325/93A-9425)	370.330	re	(A-6375)
201.210	#	(P-8347A-15760)	218.677	n	(P-12491/93A-1253)	218.420	n	(P-15274)	270.114	n	(P-16325/93A-9425)	370.340	re	(A-6375)
201.211	n	(P-8347A-15760)	218.678	n	(P-12491/93A-1253)	218.421	n	(P-15274)	270.115	n	(P-16325/93A-9425)	370.350	re	(A-6375)
201.212	n	(P-8347A-15760)	218.679	n	(P-12491/93A-1253)	218.422	n	(P-15274)	270.116	n	(P-16325/93A-9425)	370.360	re	(A-6375)
203.209	am	(P-18754/93A-6335)	218.700	n	(P-8347A-15760)	218.423	n	(P-15274)	270.117	n	(P-16325/93A-9425)	370.370	re	(A-6375)
203.209	am	(P-18754/93A-6335)	218.701	n	(P-8347A-15760)	218.424	n	(P-15274)	270.118	n	(P-16325/93A-9425)	370.380	re	(A-6375)
211.102	am	(P-8331A-15744)	218.702	n	(P-8347A-15760)	218.425	n	(P-15274)	270.119	n	(P-16325/93A-9425)	370.390	re	(A-6375)
211.120	n	(P-12491/93A-1253)	218.703	n	(P-8347A-15760)	218.426	n	(P-15274)	270.120	n	(P-16325/93A-9425)	370.400	re	(A-6375)
211.174	n	(P-17071)	218.704	n	(P-8347A-15760)	218.427	n	(P-15274)	270.121	n	(P-16325/93A-9425)	370.410	re	(A-6375)
211.474	n	(P-17071)	218.705	n	(P-8347A-15760)	218.428	n	(P-15274)	270.122	n	(P-16325/93A-9425)	370.420	re	(A-6375)
211.560	n	(P-15192)	218.706	n	(P-8347A-15760)	218.429	n	(P-15274)	270.123	n	(P-16325/93A-9425)	370.430	re	(A-6375)
211.560	n	(P-15192)	218.707	n	(P-8347A-15760)	218.430	n	(P-15274)	270.124	n	(P-16325/93A-9425)	370.440	re	(A-6375)
211.670	am	(P-15192)	218.708	n	(P-8347A-15760)	218.431	n	(P-15274)	270.125	n	(P-16325/93A-9425)	370.450	re	(A-6375)
211.680	n	(P-15192)	218.709	n	(P-8347A-15760)	218.432	n	(P-15274)	270.126	n	(P-16325/93A-9425)	370.460	re	(A-6375)
211.820	n	(P-15192)	218.710	n	(P-8347A-15760)	218.433	n	(P-15274)	270.127	n	(P-16325/93A-9425)	370.470	re	(A-6375)
211.980	n	(P-15192)	218.711	n	(P-8347A-15760)	218.434	n	(P-15274)	270.128	n	(P-16325/93A-9425)	370.480	re	(A-6375)
211.1070	n	(P-12491/93A-1253)	218.712	n	(P-8347A-15760)	218.435	n	(P-15274)	270.129	n	(P-16325/93A-9425)	370.490	re	(A-6375)
211.1760	n	(P-15192)	218.713	n	(P-8347A-15760)	218.436	n	(P-15274)	270.130	n	(P-16325/93A-9425)	370.500	re	(A-6375)
211.1860	n	(P-15192)	218.714	n	(P-8347A-15760)	218.437	n	(P-15274)	270.131	n	(P-16325/93A-9425)	370.510	re	(A-6375)
211.1900	n	(P-15192)	218.715	n	(P-8347A-15760)	218.438	n	(P-15274)	270.132	n	(P-16325/93A-9425)	370.520	re	(A-6375)
211.2020	n	(P-8331A-15744)	218.716	n	(P-8347A-15760)	218.439	n	(P-15274)	270.133	n	(P-16325/93A-9425)	370.530	re	(A-6375)
211.2290	n	(P-15192)	218.717	n	(P-8347A-15760)	218.440	n	(P-15274)	270.134	n	(P-16325/93A-9425)	370.540	re	(A-6375)
211.2300	n	(P-15192)	218.718	n	(P-8347A-15760)	218.441	n	(P-15274)	270.135	n	(P-16325/93A-9425)	370.550	re	(A-6375)
211.2360	n	(P-15192)	218.719	n	(P-8347A-15760)	218.442	n	(P-15274)	270.136	n	(P-16325/93A-9425)	370.560	re	(A-6375)
211.2365	n	(P-15192)	218.720	n	(P-8347A-15760)	218.443	n	(P-15274)	270.137	n	(P-16325/93A-9425)	370.570	re	(A-6375)
211.2610	n	(P-12491/93A-1253)	218.721	n	(P-8347A-15760)	218.444	n	(P-15274)	270.138	n	(P-16325/93A-9425)	370.580	re	(A-6375)
211.2630	n	(P-15192)	218.722	n	(P-8347A-15760)	218.445	n	(P-15274)	270.139	n	(P-16325/93A-9425)	370.590	re	(A-6375)
211.2850	am	(P-17071)	218.723	n	(P-8347A-15760)	218.446	n	(P-15274)	270.140	n	(P-16325/93A-9425)	370.600	re	(A-6375)
211.3480	n	(P-8331A-15744)	218.724	n	(P-8347A-15760)	218.447	n	(P-15274)	270.141	n	(P-16325/93A-9425)	370.610	re	(A-6375)
211.3500	n	(P-8331A-15744)	218.725	n	(P-8347A-15760)	218.448	n	(P-15274)	270.142	n	(P-16325/93A-9425)	370.620	re	(A-6375)
211.3650	am	(P-8331A-15744)	218.726	n	(P-8347A-15760)	218.449	n	(P-15274)	270.143	n	(P-16325/93A-9425)	370.630	re	(A-6375)
211.3650	am	(P-8331A-15744)	218.727	n	(P-8347A-15760)	218.450	n	(P-15274)	270.144	n	(P-16325/93A-9425)	370.640	re	(A-6375)
211.3695	n	(P-10536)	218.728	n	(P-8347A-15760)	218.451	n	(P-15274)	270.145	n	(P-16325/93A-9425)	370.650	re	(A-6375)
211.3950	n	(P-12491/93A-1253)	218.729	n	(P-8347A-15760)	218.452	n	(P-15274)	270.146	n	(P-16325/93A-9425)	370.660	re	(A-6375)
211.4050	am	(P-12491/93A-1253)	218.730	n	(P-8347A-15760)	218.453	n	(P-15274)	270.147	n	(P-16325/93A-9425)	370.670	re	(A-6375)
211.4055	am	(P-15192)	218.731	n	(P-8347A-15760)	218.454	n	(P-15274)	270.148	n	(P-16325/93A-9425)	370.680	re	(A-6375)
211.4065	am	(P-17071)	218.732	n	(P-8347A-15760)	218.455	n	(P-15274)	270.149	n	(P-16325/93A-9425)	370.690	re	(A-6375)
211.4065	am	(P-17071)	218.733	n	(P-8347A-15760)	218.456	n	(P-15274)	270.150	n	(P-16325/93A-9425)	370.700	re	(A-6375)
211.4130	am	(P-10536)	218.734	n	(P-8347A-15760)	218.457	n	(P-15274)	270.151	n	(P-16325/93A-9425)	370.710	re	(A-6375)
211.4260	n	(P-8331A-15744)	218.735	n	(P-8347A-15760)	218.458	n	(P-15274)	270.152	n	(P-16325/93A-9425)	370.720	re	(A-6375)
211.4430	n	(P-15192)	218.736	n	(P-8347A-15760)	218.459	n	(P-15274)	270.153	n	(P-16325/93A-9425)	370.730	re	(A-6375)
211.4830	n	(P-12491/93A-1253)	218.737	n	(P-8347A-15760)	218.460	n	(P-15274)	270.154	n	(P-16325/93A-9425)	370.740	re	(A-6375)
211.4850	n	(P-12491/93A-1253)	218.738	n	(P-8347A-15760)	218.461	n	(P-15274)	270.155	n	(P-16325/93A-9425)	370.750	re	(A-6375)
211.4970	n	(P-12491/93A-1253)	218.739	n	(P-8347A-15760)	218.462	n	(P-15274)	270.156	n	(P-16325/93A-9425)	370.760	re	(A-6375)
211.5060	n	(P-15192)	218.740	n	(P-8347A-15760)	218.463	n	(P-15274)	270.157	n	(P-16325/93A-9425)	370.770	re	(A-6375)
211.5065	n	(P-15192)	218.741	n	(P-8347A-15760)	218.464	n	(P-15274)	270.158	n	(P-16325/93A-9425)	370.780	re	(A-6375)
211.5065	n	(P-15192)	218.742	n	(P-8347A-15760)	218.465	n	(P-15274)	270.159	n	(P-16325/93A-9425)	370.790	re	(A-6375)
211.5340	n	(P-8331A-15744)	218.743	n	(P-8347A-15760)	218.466	n	(P-15274)	270.160	n	(P-16325/93A-9425)	370.800	re	(A-6375)
211.5390	n	(P-15192)	218.744	n	(P-8347A-15760)	218.467	n	(P-15274)	270.161	n	(P-16325/93A-9425)	370.810	re	(A-6375)
211.5480	n	(P-15192)	218.745	n	(P-8347A-15760)	218.468	n	(P-15274)	270.162	n	(P-16325/93A-9425)	370.820	re	(A-6375)
211.5530	n	(P-12491/93A-1253)	218.746	n	(P-8347A-15760)	218.469	n	(P-15274)	270.163	n	(P-16325/93A-9425)	370.830	re	(A-6375)
211.5600	n	(P-15192)	218.747	n	(P-8347A-15760)	218.470	n	(P-15274)	270.164	n	(P-16325/93A-9425)	370.840	re	(A-6375)
211.5600	n	(P-15192)	218.748	n	(P-8347A-15760)	218.471	n	(P-15274)	270.165	n	(P-16325/93A-9425)	370.850	re	(A-6375)
211.5600	n	(P-15192)	218.749	n	(P-8347A-15760)	218.472	n	(P-15274)	270.166	n	(P-16325/93A-9425)	370.860	re	(A-6375)
211.6110	n	(P-12491/93A-1253)	218.750	n	(P-8347A-15760)	218.473	n	(P-15274)	270.167	n	(P-16325/93A-9425)	370.870	re	(A-6375)
211.6140	n	(P-15192)	218.751	n	(P-8347A-15760)	218.474	n	(P-15274)	270.168	n	(P-16325/93A-9425)	370.880	re	(A-6375)
211.6140	n	(P-15192)	218.752	n	(P-8347A-15760)	218.475	n	(P-15274)	270.169	n	(P-16325/93A-9425)	370.890	re	(A-6375)
211.6170	n	(P-12491/93A-1253)	218.753	n	(P-8347A-15760)	218.476	n	(P-15274)	270.170	n	(P-16325/93A-9425)	370.900	re	(A-6375)

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210,1010	n	(P-16787)	2650,220	r	(P-2006/93,RC-6022)	6000,220	am	(P-6040,A-13384)
210,1020	n	(P-16787)	2650,230	r	(P-2006/93,RC-6022)	6000,250	am	(P-6040,A-13384)
210,1030	n	(P-16787)	2650,240	am	(P-2006/93,RC-6022)	6000,260	am	(P-6040,A-13384)
210,1040	n	(P-16787)	2650,250	am	(P-2006/93,RC-6022)	6000,270	am	(P-6040,A-13384)
210,1050	n	(P-16787)	2650,310	am	(P-2006/93,RC-6022)	6000,280	am	(P-6040,A-13384)
250,1050	am	(E-16699)	2650,320	am	(P-2006/93,RC-6022)	6000,290	am	(P-6040,A-13384)
250,1055	am	(E-16699)	2650,330	am	(P-2006/93,RC-6022)	6000,300	am	(P-6040,A-13384)
250,305	n	(E-16699)	2650,340	am	(P-2006/93,RC-6022)	6000,310	am	(P-6040,A-13384)
250,310	n	(E-16699)	2650,350	am	(P-2006/93,RC-6022)	6000,320	am	(P-6040,A-13384)
250,315	n	(E-16699)	2720,10	am	(P-3048,A-16340)	6000,330	am	(P-6040,A-13384)
250,805	am	(E-16699)	2720,130	am	(P-3048,A-16340)	6000,340	am	(P-6040,A-13384)
350,2880	am	(P-1672,0-12066; R-14484)	2720,200	am	(P-3048,A-16340)	TITLE 99		
2520,10	am	(P-9821,A-16829)	2720,201	am	(P-3048,A-16340)	101,75		(P-1068/93,A-4179)
2520,20	am	(P-9821,A-16829)	2720,205	am	(P-3048,A-16340)	106,45	am	(P-7683,A-15606)
2520,30	am	(P-9821,A-16829)	2720,215	am	(P-3048,A-16340)	120,110	am	(P-3990,A-15600)
2520,40	am	(P-9821,A-16829)	2720,240	am	(P-3048,A-16340)	121,130	am	(P-3976,A-15587)
2520,110	am	(P-9821,A-16829)	2720,245	am	(P-3048,A-16340)	121,135	am	(P-3976,A-15587)
2520,310	r	(P-9821,A-16829)	2730,100	am	(P-9101,A-14958)	132,65	am	(P-3969,A-15581)
2520,320	r	(P-9821,A-16829)	2732,235	n	(A-16355)	132,85	am	(P-3982,A-15593)
2520,330	am	(P-9821,A-16829)	2732,305	am	(P-9067,A-16355)	258,100	n	(P-8795)
2520,340	r	(P-9821,A-16829)	2760,120	am	(P-3082,A-14942)	258,110	n	(P-8795)
2520,350	am	(P-9821,A-16829)	2760,125	am	(P-3082,A-14942)	258,120	n	(P-8795)
2520,360	am	(P-9821,A-16829)	2760,127	n	(E-2631,0-7076)	258,200	n	(P-8795)
2520,370	am	(P-9821,A-16829)			(A-1632,93,A-261)	258,220	n	(P-8795)
2520,380	am	(P-9821,A-16829)	2760,140	am	(P-3082,A-14942)	258,230	n	(P-8795)
2520,410	am	(P-9821,A-16829)	2760,150	am	(P-3094,A-14952)	258,240	n	(P-8795)
2520,430	am	(P-9821,A-16829)	2765,44	n	(P-3094,A-14952)	258,250	n	(P-8795)
2520,440	am	(P-9821,A-16829)	2765,45	am	(P-3094,A-14952)	258,260	n	(P-8795)
2520,450	am	(P-9821,A-16829)	2765,68	am	(P-3094,A-14952)	258,270	n	(P-8795)
2520,460	r	(P-9821,A-16829)	2765,68	am	(P-1762/89,A-250)	258,280	n	(P-8795)
2520,470	am	(P-9821,A-16829)	2770,100	am	(P-1762/89,A-250)	258,310	n	(P-8795)
2520,480	r	(P-9821,A-16829)	2770,105	am	(P-1762/89,A-250)	258,320	n	(P-8795)
2520,510	am	(P-9821,A-16829)	2770,110	am	(P-14206)	258,330	n	(P-8795)
2520,520	r	(P-9821,A-16829)	2865,130	am	(P-19421/93,A-4160)	258,340	n	(P-8795)
2520,530	r	(P-9821,A-16829)	2915,40	n	(P-19415/93,A-4154)	258,350	n	(P-8795)
2520,540	r	(P-9821,A-16829)	2915,43	n	(P-19415/93,A-4154)	258,360	n	(P-8795)
2520,560	n	(P-9821,A-16829)	2915,45	n	(P-19415/93,A-4154)	258,370	n	(P-8795)
2520,570	n	(P-9821,A-16829)	2915,47	am	(P-19427/93,A-4166)	258,380	n	(P-8795)









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100.100	310 Ap.A.Tb.Y am	(P-9562)	2700.700	am	(P-19755/93.A-7224)	
100.110	310 Ap.A.Tb.Z am	(P-9562)	2700.710	am	(P-19755/93.A-7224)	
100.115	310 Ap.B am	(P-10979.A-16545)	2700.720	am	(P-19755/93.A-7224)	
100.117	310 Ap.B am	(P-12595)	2700.735	am	(P-19755/93.A-7224)	
100.120	310 Ap.C am	(P-14314/93.A-1107)	2700.740	am	(P-19755/93.A-7224)	
100.130	310 Ap.C am	(E-14417.R-16042)	2700.750	am	(P-19755/93.A-7224)	
100.140	310 Ap.D am	(P-14256)	2700.760	am	(P-19755/93.A-7224)	
100.150	310 Ap.D am	(E-14314/93.A-1107)	2700.820	am	(P-19755/93.A-7224)	
150.510	310 Ap.G am	(P-14256)	2700.E.B	r	(P-19755/93.A-7224)	
150.540	310 Ap.G am	(P-13657/93.A-227)	2700.E.C	r	(P-19755/93.A-7224)	
150.565	310 Ap.G am	(P-14314/93.A-1107)	2700.E.D	r	(P-19755/93.A-7224)	
150.580	310 Ap.G am	(P-12008.A-17191)	2700.E.F	r	(P-19755/93.A-7224)	
150.665	310 Ap.G am	(E-14417.R-16042)	2700.E.F	r	(P-19755/93.A-7224)	
150.880	310 Ap.G am	(P-14256)	2800.100	am	(P-12567)	
250.110	310 Ap.G am	(P-18453/93.A-1901)	2800.230	am	(P-22487/93.A-6349)	
302.570	310 Ap.G am	(P-12937.A-17183)	2800.235	am	(P-22487/93.A-6349)	
302.825	310 Ap.G am	(P-14788/93.A-1892)	2800.240	am	(P-22487/93.A-6349)	
302.840	310 Ap.G am	(P-14788/93.A-1892)	2800.260	am	(P-12567)	
310.40	310 Ap.G am	(P-21233/93.A-5146)	2800.600	am	(P-12567)	
310.100	310 Ap.G am	(E-10979.A-16545)	2800.700	am	(P-12567)	
310.110	310 Ap.G am	(E-12599)				
310.230	310 Ap.G am	(P-21233/93.A-5146)				
310.270	310 Ap.G am	(P-16708)				
310.280	310 Ap.G am	(P-13476)				
310.290	310 Ap.G am	(P-21233/93.A-5146)				
310.390	310 Ap.G am	(P-10979.A-16545)				
310.450	310 Ap.G am	(E-14314/93.A-1107)				
310.455	310 Ap.G am	(E-14417.R-16042)				
310.490	310 Ap.G am	(P-14314/93.A-1107)				
310.495	310 Ap.G am	(E-14417.R-16042)				
310.530	310 Ap.G am	(P-13657/93.A-227)				
310.540	310 Ap.G am	(P-2008.A-17191)				
310.550	310 Ap.G am	(P-14314/93.A-1107)				
310.560	310 Ap.G am	(E-14417.R-16042)				
310.565	310 Ap.G am	(P-14256)				
310.570	310 Ap.G am	(E-14314/93.A-1107)				
310.580	310 Ap.G am	(E-14417.R-16042)				
310.590	310 Ap.G am	(P-14256)				
310.600	310 Ap.G am	(P-13657/93.A-227)				
310.610	310 Ap.G am	(P-2008.A-17191)				
310.620	310 Ap.G am	(P-14314/93.A-1107)				
310.630	310 Ap.G am	(E-14417.R-16042)				
310.640	310 Ap.G am	(P-14256)				
310.650	310 Ap.G am	(E-14314/93.A-1107)				
310.660	310 Ap.G am	(E-14417.R-16042)				
310.670	310 Ap.G am	(P-14256)				
310.680	310 Ap.G am	(P-13657/93.A-227)				
310.690	310 Ap.G am	(P-2008.A-17191)				
310.700	310 Ap.G am	(P-14314/93.A-1107)				
310.710	310 Ap.G am	(E-14417.R-16042)				
310.720	310 Ap.G am	(P-14256)				
310.730	310 Ap.G am	(E-14314/93.A-1107)				
310.740	310 Ap.G am	(E-14417.R-16042)				
310.750	310 Ap.G am	(P-14256)				
310.760	310 Ap.G am	(P-13657/93.A-227)				
310.770	310 Ap.G am	(P-2008.A-17191)				
310.780	310 Ap.G am	(P-14314/93.A-1107)				
310.790	310 Ap.G am	(E-14417.R-16042)				
310.800	310 Ap.G am	(P-14256)				
310.810	310 Ap.G am	(E-14314/93.A-1107)				
310.820	310 Ap.G am	(E-14417.R-16042)				
310.830	310 Ap.G am	(P-14256)				
310.840	310 Ap.G am	(P-13657/93.A-227)				
310.850	310 Ap.G am	(P-2008.A-17191)				
310.860	310 Ap.G am	(P-14314/93.A-1107)				
310.870	310 Ap.G am	(E-14417.R-16042)				
310.880	310 Ap.G am	(P-14256)				
310.890	310 Ap.G am	(E-14314/93.A-1107)				
310.900	310 Ap.G am	(E-14417.R-16042)				
310.910	310 Ap.G am	(P-14256)				
310.920	310 Ap.G am	(P-13657/93.A-227)				
310.930	310 Ap.G am	(P-2008.A-17191)				
310.940	310 Ap.G am	(P-14314/93.A-1107)				
310.950	310 Ap.G am	(E-14417.R-16042)				
310.960	310 Ap.G am	(P-14256)				
310.970	310 Ap.G am	(E-14314/93.A-1107)				
310.980	310 Ap.G am	(E-14417.R-16042)				
310.990	310 Ap.G am	(P-14256)				
310.1000	310 Ap.G am	(P-13657/93.A-227)				
310.1010	310 Ap.G am	(P-2008.A-17191)				
310.1020	310 Ap.G am	(P-14314/93.A-1107)				
310.1030	310 Ap.G am	(E-14417.R-16042)				
310.1040	310 Ap.G am	(P-14256)				
310.1050	310 Ap.G am	(E-14314/93.A-1107)				
310.1060	310 Ap.G am	(E-14417.R-16042)				
310.1070	310 Ap.G am	(P-14256)				
310.1080	310 Ap.G am	(P-13657/93.A-227)				
310.1090	310 Ap.G am	(P-2008.A-17191)				
310.1100	310 Ap.G am	(P-14314/93.A-1107)				
310.1110	310 Ap.G am	(E-14417.R-16042)				
310.1120	310 Ap.G am	(P-14256)				
310.1130	310 Ap.G am	(E-14314/93.A-1107)				
310.1140	310 Ap.G am	(E-14417.R-16042)				
310.1150	310 Ap.G am	(P-14256)				
310.1160	310 Ap.G am	(P-13657/93.A-227)				
310.1170	310 Ap.G am	(P-2008.A-17191)				
310.1180	310 Ap.G am	(P-14314/93.A-1107)				
310.1190	310 Ap.G am	(E-14417.R-16042)				
310.1200	310 Ap.G am	(P-14256)				
310.1210	310 Ap.G am	(E-14314/93.A-1107)				
310.1220	310 Ap.G am	(E-14417.R-16042)				
310.1230	310 Ap.G am	(P-14256)				
310.1240	310 Ap.G am	(P-13657/93.A-227)				
310.1250	310 Ap.G am	(P-2008.A-17191)				
310.1260	310 Ap.G am	(P-14314/93.A-1107)				
310.1270	310 Ap.G am	(E-14417.R-16042)				
310.1280	310 Ap.G am	(P-14256)				
310.1290	310 Ap.G am	(E-14314/93.A-1107)				
310.1300	310 Ap.G am	(E-14417.R-16042)				
310.1310	310 Ap.G am	(P-14256)				
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310.1350	310 Ap.G am	(E-14417.R-16042)				
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310.1380	310 Ap.G am	(E-14417.R-16042)				
310.1390	310 Ap.G am	(P-14256)				
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310.1510	310 Ap.G am	(E-14417.R-16042)				
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310.1800	310 Ap.G am	(P-13657/93.A-227)				
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310.1890	310 Ap.G am	(P-2008.A-17191)				
310.1900	310 Ap.G am	(P-14314/93.A-1107)				
310.1910	310 Ap.G am	(E-14417.R-16042)				
310.1920	310 Ap.G am	(P-14256)				
310.1930	310 Ap.G am	(E-14314/93.A-1107)				
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310.2100	310 Ap.G am	(E-14417.R-16042)				
310.2110	310 Ap.G am	(P-14256)				
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(Title 89, con't)

(Title 89, cont.)							
260,200	n	(P-3802A-8995)		r	(P-8528)	am	(CC-7951)(P-7554)
260,300	n	(P-3802A-8995)	384.30	n	(P-8528)	am	(CC-7951)(P-7554)
260,400	n	(P-3802A-8995)	384.60	n	(P-8528)	am	(CC-7951)(P-7554)
300.20	am	(P-13216(93A-8601))	384.70	n	(P-8528)	am	(CC-7951)(P-7554)
3001.30	am	(P-18271(93A-8377))	384.80	n	(P-8528)	am	(P-7115(93A-6697))
3001.60	am	(P-18271(93A-8377))	384.90	n	(P-8528)	am	(P-7115(93A-6697))
300.68	am	(P-6467A-17200)	384.100	n	(P-8528)	am	(P-7115(93A-6697))
300.20	am	(P-6467A-17200)	384.110	n	(P-8528)	am	(P-7115(93A-6697))
300.30	am	(P-6467A-17200)	384.120	n	(P-8528)	am	(P-7115(93A-6697))
300.40	am	(P-6467A-17200)	384.130	n	(P-8528)	am	(P-7115(93A-6697))
300.10	am	(A-11510)	385.10	am	(P-8528)	am	(P-7115(93A-6697))
300.20	am	(A-11510)	385.20	am	(P-8528)	am	(P-7115(93A-6697))
300.30	am	(A-11510)	385.30	am	(P-8528)	am	(P-7115(93A-6697))
300.40	am	(A-11510)	385.40	am	(P-8528)	am	(P-7115(93A-6697))
300.50	am	(A-11510)	385.50	am	(P-8528)	am	(P-7115(93A-6697))
300.60	am	(A-11510)	385.60	am	(P-8528)	am	(P-7115(93A-6697))
300.70	am	(A-11510)	385.70	am	(P-8528)	am	(P-7115(93A-6697))
300.80	am	(A-11510)	385.80	am	(P-8528)	am	(P-7115(93A-6697))
314.10	n	(P-17593(93A-8366))	385.90	am	(P-8528)	am	(P-7115(93A-6697))
314.20	n	(P-17593(93A-8366))	385.90	am	(P-8528)	am	(P-7115(93A-6697))
314.30	n	(P-17593(93A-8366))	385.90	am	(P-8528)	am	(P-7115(93A-6697))
314.40	n	(P-17593(93A-8366))	385.90	am	(P-8528)	am	(P-7115(93A-6697))
314.50	n	(P-17593(93A-8366))	385.90	am	(P-8528)	am	(P-7115(93A-6697))
314.60	n	(P-17593(93A-8366))	385.90	am	(P-8528)	am	(P-7115(93A-6697))
314.70	n	(P-17593(93A-8366))	385.90	am	(P-8528)	am	(P-7115(93A-6697))
314.80	n	(P-17593(93A-8366))	385.90	am	(P-8528)	am	(P-7115(93A-6697))
314.90	n	(P-17593(93A-8366))	385.90	am	(P-8528)	am	(P-7115(93A-6697))
314.100	n	(P-17593(93A-8366))	385.90	am	(P-8528)	am	(P-7115(93A-6697))
325.10	n	(P-8765)	406.12	am	(P-8765)	am	(P-8765)
325.20	n	(P-8765)	406.13	am	(P-8765)	am	(P-8765)
325.30	n	(P-8765)	406.14	am	(P-8765)	am	(P-8765)
325.40	n	(P-8765)	406.15	am	(P-8765)	am	(P-8765)
325.50	n	(P-8765)	406.16	am	(P-8765)	am	(P-8765)
325.60	n	(P-8765)	406.17	am	(P-8765)	am	(P-8765)
325.70	n	(P-8765)	406.18	am	(P-8765)	am	(P-8765)
335.204	am	(E-14436(P-16892))	408.60	am	(P-11976(93A-5540))	am	(P-11976(93A-5540))
335.206	am	(E-14436(P-16892))	408.65	am	(P-11976(93A-5540))	am	(P-11976(93A-5540))
335.208	am	(E-14436(P-16892))	408.70	am	(P-11976(93A-5540))	am	(P-11976(93A-5540))
335.300	am	(E-14436(P-16892))	408.75	am	(P-11976(93A-5540))	am	(P-11976(93A-5540))
335.300	am	(E-14436(P-16892))	408.80	am	(P-11976(93A-5540))	am	(P-11976(93A-5540))
335.300	am	(E-14436(P-16892))	408.85	am	(P-11976(93A-5540))	am	(P-11976(93A-5540))
335.300	am	(E-14436(P-16892))	408.90	am	(P-11976(93A-5540))	am	(P-11976(93A-5540))

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(Title 89, con't)

(Title 89, con't)								
540.10	n	(P-4097-A-11271)	692,500	am	(P-16121)	690,300	r	(P-16204)
540.20	r	(P-4097-A-11271)	692,510	am	(P-16121)	690,400	r	(P-16204)
575.100	r	(P-16210)	692,520	am	(P-16121)	693,100	r	(P-16171)
575.200	r	(P-16210)	693,100	am	(P-16090)	693,200	r	(P-16171)
575.300	r	(P-16210)	693,200	am	(P-16090)	693,300	r	(P-16171)
576.10	n	(P-16219)	693,300	r	(P-16090)	695,10	r	(P-16270)
576.20	n	(P-16219)	693,400	r	(P-16090)	695,100	r	(P-16270)
576.30	n	(P-16219)	693,500	r	(P-16090)	695,200	r	(P-16270)
576.40	n	(P-16219)	693,600	r	(P-16090)	695,300	r	(P-16270)
576.100	n	(P-16219)	693,700	r	(P-16090)	695,400	r	(P-16270)
576.200	n	(P-16219)	693,800	r	(P-16090)	698,100	r	(P-16249)
576.300	n	(P-16219)	694,10	n	(P-16264)	698,200	r	(P-16249)
576.400	n	(P-16219)	694,20	n	(P-16264)	698,300	r	(P-16249)
576.150	n	(P-16219)	694,30	n	(P-16264)	700,150	r	(P-16253)
576.250	n	(P-16219)	694,40	n	(P-16264)	700,150	r	(P-16253)
576.350	n	(P-16219)	694,50	n	(P-16264)	700,250	r	(P-16253)
576.450	n	(P-16219)	694,60	n	(P-16264)	700,250	r	(P-16253)
576.100	n	(P-16219)	695,10	r	(P-16163)	700,300	r	(P-16253)
576.200	n	(P-16219)	695,100	r	(P-16163)	700,400	r	(P-16253)
576.300	n	(P-16219)	695,150	r	(P-16163)	700,500	r	(P-16253)
576.400	n	(P-16219)	695,200	r	(P-16163)	700,600	r	(P-16253)
576.150	n	(P-16105)	695,300	r	(P-16163)	700,600	r	(P-16253)
576.250	n	(P-16105)	695,400	r	(P-16163)	700,600	r	(P-16253)
576.350	n	(P-16105)	695,500	r	(P-16163)	700,600	r	(P-16253)
576.450	n	(P-16105)	695,550	r	(P-16163)	700,600	r	(P-16253)
577.60	n	(P-16105)	695,600	r	(P-16163)	708,100	r	(P-16091)
577.70	n	(P-16105)	695,600	r	(P-16163)	708,200	r	(P-16091)
577.80	n	(P-16105)	695,600	r	(P-16163)	708,300	r	(P-16091)
577.90	n	(P-16105)	695,610	n	(P-16228)	710,100	r	(P-16091)
578.10	n	(P-16105)	696,10	n	(P-16228)	710,300	r	(P-16091)
578.20	n	(P-16105)	696,20	n	(P-16228)	710,300	r	(P-16091)
578.30	n	(P-16099)	696,30	n	(P-16228)	710,400	r	(P-16091)
578.40	n	(P-16099)	696,40	n	(P-16228)	712,100	r	(P-16143)
578.50	n	(P-16099)	696,50	n	(P-16228)	712,200	r	(P-16143)
578.60	n	(P-16099)	696,60	n	(P-16228)	712,300	r	(P-16143)
578.70	n	(P-16099)	696,70	n	(P-16228)	712,400	r	(P-16143)
578.80	n	(P-16099)	696,80	n	(P-16228)	712,400	r	(P-16143)
578.90	n	(P-16099)	696,810	n	(P-16228)	712,400	r	(P-16143)
579.00	n	(P-16099)	696,820	n	(P-16228)	712,400	r	(P-16143)
579.10	n	(P-16099)	696,830	n	(P-16228)	712,400	r	(P-16143)
579.20	n	(P-16099)	696,840	n	(P-16228)	712,400	r	(P-16143)
579.30	n	(P-16099)	696,850	n	(P-16228)	712,400	r	(P-16143)
579.40	n	(P-16099)	696,860	n	(P-16228)	712,400	r	(P-16143)
579.50	n	(P-16099)	696,870	n	(P-16228)	712,400	r	(P-16143)
579.60	n	(P-16099)	696,880	n	(P-16228)	712,400	r	(P-16143)
579.70	n	(P-16099)	696,890	n	(P-16228)	712,400	r	(P-16143)
579.80	n	(P-16099)	696,900	n	(P-16228)	712,400	r	(P-16143)
579.90	n	(P-16099)	696,910	n	(P-16228)	712,400	r	(P-16143)
580.00	n	(P-16099)	696,920	n	(P-16228)	712,400	r	(P-16143)
580.10	n	(P-16099)	696,930	n	(P-16228)	712,400	r	(P-16143)
580.200	n	(P-16099)	696,940	n	(P-16228)	712,400	r	(P-16143)
580.300	n	(P-16099)	696,950	n	(P-16228)	712,400	r	(P-16143)
581.10	n	(P-16199)	696,960	n	(P-16228)	712,400	r	(P-16143)
581.20	n	(P-16199)	696,970	n	(P-16228)	712,400	r	(P-16143)
581.30	n	(P-16199)	696,980	n	(P-16228)	712,400	r	(P-16143)
581.40	n	(P-16199)	696,990	n	(P-16228)	712,400	r	(P-16143)
581.50	n	(P-16199)	697,000	n	(P-16228)	712,400	r	(P-16143)
581.60	n	(P-16199)	697,010	n	(P-16228)	712,400	r	(P-16143)
581.70	n	(P-16199)	697,020	n	(P-16228)	712,400	r	(P-16143)
581.80	n	(P-16199)	697,030	n	(P-16228)	712,400	r	(P-16143)
581.90	n	(P-16199)	697,040	n	(P-16228)	712,400	r	(P-16143)
582.10	am	(P-16121)	698,100	r	(P-16129)	14,902	n	(P-5796-A-13461)
582.100	am	(P-16121)	698,200	am	(P-16121)	14,905	am	(P-5796-A-13461)
582.200	am	(P-16121)	698,300	am	(P-16121)	14,920	am	(P-5796-A-13461)
582.220	am	(P-16121)	698,400	am	(P-16121)	14,925	am	(P-5796-A-13461)
582.230	am	(P-16121)	698,500	am	(P-16121)	14,930	am	(P-5796-A-13461)
582.240	am	(P-16121)	698,600	am	(P-16121)	14,940	am	(P-5796-A-13461)
582.250	am	(P-16121)	698,700	am	(P-16121)	14,945	am	(P-5796-A-13461)
582.260	am	(P-16121)	698,800	am	(P-16121)	14,950	am	(P-5796-A-13461)
582.280	am	(P-16121)	698,900	am	(P-16121)	14,960	am	(P-5796-A-13461)
582.300	am	(P-16121)	699,000	am	(P-16121)	14,970	am	(P-5796-A-13461)
582.400	am	(P-16121)	699,100	am	(P-16121)	14,975	am	(P-5796-A-13461)

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